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NOTE

The term 'Britain' is used informally in the *Survey of Current Affairs* to mean the United Kingdom of Great Britain and Northern Ireland. 'Great Britain' comprises England, Wales and Scotland.

Recent Legislation

The public Acts of Parliament passed between 27 April and 28 July when the summer adjournment began are listed below. Nine Acts were introduced by private members; these are indicated by asterisks.

Antarctic Minerals Act 1989 (see p 307). Royal Assent: 21.7.89. Ch 21. HMSO, £2·80. ISBN 0 10 542189 8.

Appropriation Act 1989. Prescribes how expenditure is appropriated in order to finance specific public services. Royal Assent: 27.7.89. Ch 25. HMSO, £5·70. ISBN 0 10 542589 3.

Atomic Energy Act 1989. Covers various matters on nuclear energy, including raising the financial limit on British Nuclear Fuels plc, enabling the costs of nuclear safety research sponsored by the Health and Safety Commission to be recovered from nuclear site licensees and licence applicants, and enabling Britain to ratify the international Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (see p 329, 1986). Royal Assent: 25.5.89. Ch 7. HMSO, £1·65. ISBN 0 10 540789 5.

Civil Aviation (Air Navigation Charges) Act 1989. Enables charges imposed under the Civil Aviation Act 1982 to be prescribed in units of account defined by reference to more than one currency. Royal Assent: 25.5.89. Ch 9. HMSO, 50p. ISBN 0 10 540989 8.

**Common Land (Rectification of Registers) Act 1989.* Rectifies a defect in the Commons Registration Act 1965 (which made no requirement for house owners to be notified that their land had been registered as common land) by making provision for the removal from the registers of land on which there has been a dwelling house since 1945. Royal Assent: 21.7.89. Ch 18. HMSO, 50p. ISBN 0 10 541889 7.

Continental Shelf Act 1989. Amends the Petroleum Royalties (Relief) and Continental Shelf Act 1989 (see p 127) and expedites agreement with the Irish Republic on the delimitation of the Continental Shelf. Royal Assent: 27.7.89. Ch 35. HMSO, 50p. ISBN 0 10 543589 9.

**Control of Pollution (Amendment) Act 1989.* Improves provision for the control of fly-tipping (the dumping of waste on land without the landowner's consent), introducing a system of registration for carriers of controlled waste. Royal Assent: 6.7.89. Ch 14. HMSO, £2·35. ISBN 0 10 541489 1.

**Control of Smoke Pollution Act 1989.* Extends the categories of smoke emission that can be classed a statutory nuisance to include non-dark smoke from dwellings not situated in smoke control areas; also makes provision for additional controls over the emissions of dark smoke from industrial or trade premises. Royal Assent: 21.7.89. Ch 17. HMSO, 50p. ISBN 0 10 541789 0.

**Dangerous Dogs Act 1989.* Extends the powers available to a court for dealing with the problem of dangerous dogs. Royal Assent: 27.7.89. Ch 30. HMSO, 90p. ISBN 0 10 543089 7.

**Disabled Persons (Northern Ireland) Act 1989.* Makes provision for Northern Ireland equivalent to the Disabled Persons (Services, Consultation and Representation) Act 1986 (see p 251, 1986). Royal Assent: 25.5.89. Ch 10. HMSO, £2·35. ISBN 0 10 541089 6.

Dock Work Act 1989 (see p 194). Royal Assent: 3.7.89. Ch 13. HMSO, £2·80. ISBN 0 10 541389 5.

Electricity Act 1989 (see pp 16-19 and 320). Royal Assent: 27.7.89. Ch 29. HMSO, £11·60. ISBN 0 10 542989 9.

Extradition Act 1989. Consolidates existing provisions of the law regarding extradition. Royal Assent: 27.7.89. Ch 33. HMSO, £5·20. ISBN 0 10 543389 6.

Fair Employment (Northern Ireland) Act 1989 (see pp 40-2 and 88-9). Royal Assent: 27.7.89. Ch 32. HMSO, £6. ISBN 0 10 543289 X.

Finance Act 1989 (see pp 134-41). Royal Assent: 27.7.89. Ch 26. HMSO, £14·50. ISBN 0 10 542689 X.

**Hearing Aid Council (Amendment) Act 1989.* Amends the Hearing Aid Council Act 1968 to make further provision for the regulation, conduct and discipline of people dispensing hearing aids and amends the composition of the Hearing Aid Council. Royal Assent: 3.7.89. Ch 12. HMSO, 90p. ISBN 0 10 541289 9.

Human Organ Transplants Act 1989. Prohibits commercial dealings in human organs intended for transplant and restricts the transplanting of such organs between people who are not genetically related. Royal Assent: 27.7.89. Ch 31. HMSO, £1·30. ISBN 0 10 543189 3.

**International Parliamentary Organisations (Registration) Act 1989.* Sets up a register of publicly financed international parliamentary organisations which fund both British and international secretariats and draw their membership from both Houses of Parliament. Royal Assent: 21.7.89. Ch 19. HMSO, 50p. ISBN 0 10 541989 3.

Law of Property (Miscellaneous Provisions) Act 1989. Makes new provision with respect to deeds and their execution and contracts for the sale or other deposition of interests in land. Royal Assent: 27.7.89. Ch 34. HMSO, £1·65. ISBN 0 10 543489 2.

**Licensing (Amendment) Act 1989.* Amends the Licensing Act 1964. Royal Assent: 21.7.89. Ch 20. HMSO, 50p. ISBN 0 10 542089 1.

National Maritime Museum Act 1989. Equips the board of trustees of the National Maritime Museum with the same kind of powers to hold land and property that are enjoyed by other national museums and galleries. Royal Assent: 25.5.89. Ch 8. HMSO, 50p. ISBN 0 10 540889 1.

Official Secrets Act 1989 (see pp 4-6). Royal Assent: 11.5.89. Ch 6. HMSO, £2·80. ISBN 0 10 540689 9.

**Parking Act 1989.* Clarifies the law relating to methods of payment for parking. Royal Assent: 21.7.89. Ch 16. HMSO, £1·65. ISBN 0 10 541689 4.

Pesticides (Fees and Enforcement) Act 1989. Ensures that the pesticides industry meets all costs of ensuring that its products are safe. Royal Assent: 27.7.89. Ch 27. HMSO, 90p. ISBN 0 10 542789 6.

Police Officers (Central Service) Act 1989. Amends the Police Act 1964 and the Police (Scotland) Act 1967 to overcome difficulties arising over the status of police officers seconded from their own forces to central service. Royal Assent: 3.7.89. Ch 11. HMSO, £1·30. ISBN 0 10 541189 2.

Representation of the People Act 1989 (see pp 255-7). Royal Assent: 27.7.89. Ch 28. HMSO, £1·30. ISBN 0 10 542889 2.

Road Traffic (Driver Licensing and Information Systems) Act 1989. Provides for a number of improvements in road traffic law and for the licensing and regulation of information systems (which give drivers, through special in-vehicle equipment, route guidance and warnings on traffic conditions). Royal Assent: 21.7.89. Ch 22. HMSO, £5·70. ISBN 0 10 542289 4.

Security Service Act 1989 (see pp 6-7). Royal Assent: 27.4.89. Ch 5. HMSO, £2. ISBN 0 10 540589 2.

Social Security Act 1989 (see pp 29-30). Royal Assent: 21.7.89. Ch 24. HMSO, £7·50. ISBN 0 10 542489 7.

Transport (Scotland) Act 1989 (see pp 24-5). Royal Assent: 21.7.89. Ch 23. HMSO, £2·35. ISBN 0 10 542389 0.

Water Act 1989 (see pp 20-4 and p 321). Royal Assent: 6.7.89. Ch 15. HMSO, £20. ISBN 0 10 541589 8.

Ministerial Changes

A number of ministerial changes were announced by the Prime Minister's Office in late July and early August.

New Appointments

The new appointments to the Cabinet are as follows:

Lord President of the Council and Leader of the House of Commons
Rt Hon Sir Geoffrey Howe, QC, MP (former Secretary of State for Foreign and Commonwealth Affairs)

Secretary of State for Foreign and Commonwealth Affairs
Rt Hon John Major, MP (former Chief Secretary to the Treasury)

Secretary of State for Defence
Rt Hon Tom King, MP (former Secretary of State for Northern Ireland)

Secretary of State for Trade and Industry
Rt Hon Nicholas Ridley, MP (former Secretary of State for the Environment)

Chancellor of the Duchy of Lancaster
Rt Hon Kenneth Baker, MP (former Secretary of State for Education and Science)

Secretary of State for Education and Science
Rt Hon John MacGregor, OBE, MP (former Minister of Agriculture, Fisheries and Food)

Secretary of State for Transport
Rt Hon Cecil Parkinson, MP (former Secretary of State for Energy)

Secretary of State for Energy
Rt Hon John Wakeham, MP (former Lord President of the Council and Leader of the House of Commons)

Secretary of State for Social Security
Rt Hon Antony Newton, OBE, MP (former Chancellor of the Duchy of Lancaster and Minister of Trade and Industry)

Secretary of State for the Environment
Rt Hon Christopher Patten, MP (former Minister for Overseas Development)

Secretary of State for Northern Ireland
Rt Hon Peter Brooke, MP (former Paymaster General)

Minister of Agriculture, Fisheries and Food
Rt Hon John Selwyn Gummer, MP (former Minister of State, Department of the Environment)

Chief Secretary to the Treasury
Rt Hon Norman Lamont, MP (former Financial Secretary to the Treasury)

Other appointments are:

Ministry of Agriculture, Fisheries and Food
Parliamentary Secretaries
Mr David Curry, MP
Mr David Maclean, MP (former Lord Commissioner of the Treasury – a Government Whip)

Ministry of Defence
Minister of State
Hon Alan Clark, MP (former Minister of State, Department of Trade and Industry)

Parliamentary Under-Secretary of State
The Earl of Arran (former Lord in Waiting – a Government Whip in the House of Lords)

Department of Education and Science
Parliamentary Under-Secretary of State
Mr Alan Howarth, CBE, MP (former Lord Commissioner of the Treasury – a Government Whip)

Department of Employment
Minister of State
Mr Timothy Eggar, MP (former Parliamentary Under-Secretary of State, Foreign and Commonwealth Office)

Parliamentary Under-Secretary of State
The Lord Strathclyde (former Lord in Waiting – a Government Whip in the House of Lords)

Department of the Environment
Ministers of State
Mr David Hunt, MBE, MP (former Treasurer of the Queen's Household – Deputy Chief Whip)
Mr David Trippier, MP (former Parliamentary Under-Secretary of State, Department of the Environment)

Foreign and Commonwealth Office
Ministers of State
The Lord Brabazon of Tara (former Parliamentary Under-Secretary of State, Department of Transport)
Hon Francis Maude, MP (former Parliamentary Under-Secretary of State, Department of Trade and Industry)

Parliamentary Under-Secretary of State
Hon Timothy Sainsbury, MP (former Parliamentary Under-Secretary of State, Ministry of Defence)

Department of Health
Minister of State
The Lord Trafford

Home Office
Parliamentary Under-Secretary of State
Mr Peter Lloyd, MP (former Parliamentary Under-Secretary of State, Department of Social Security)

Northern Ireland Office
Minister of State
Rt Hon John Cope, MP (former Minister of State, Department of Employment)

Parliamentary Under-Secretaries of State
Mr Peter Bottomley, MP (former Parliamentary Under-Secretary of State, Department of Transport)
The Lord Skelmersdale (former Parliamentary Under-Secretary of State, Department of Social Security)

Overseas Development Administration (part of the Foreign and Commonwealth Office)
Minister of State (Minister for Overseas Development)
Rt Hon Lynda Chalker, MP (former Minister of State, Foreign and Commonwealth Office)

Paymaster General's Office (part of HM Treasury)
Paymaster General
The Earl of Caithness (former Minister of State, Department of the Environment)

Department of Social Security
Parliamentary Under-Secretaries of State
The Lord Henley (former Lord in Waiting – a Government Whip in the House of Lords)
Mrs Gillian Shephard, MP

Department of Trade and Industry
Ministers of State
Hon Douglas Hogg, MP (former Parliamentary Under-Secretary of State, Home Office)
Rt Hon The Lord Trefgarne (former Minister of State, Ministry of Defence)

Parliamentary Under-Secretary of State
Mr John Redwood, MP

Department of Transport
Parliamentary Under-Secretaries of State
Mr Robert Atkins, MP (former Parliamentary Under-Secretary of State, Department of Trade and Industry)
Mr Patrick McLoughlin, MP

HM Treasury
Financial Secretary
Mr Peter Lilley, MP (former Economic Secretary to the Treasury)

Economic Secretary
Mr Richard Ryder, OBE, MP (former Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food)

Treasurer of the Queen's Household (Deputy Chief Whip)
Mr Tristan Garel-Jones, MP (former Comptroller of the Household)

Comptroller of the Queen's Household
Mr Alastair Goodlad, MP

Lords Commissioners of the Treasury (Government Whips in the House of Commons)
Mr John Taylor, MP (former Assistant Government Whip)
Mr David Heathcoat-Amory, MP (former Assistant Government Whip)

Assistant Government Whips in the House of Commons
Mr Gregory Knight, MP
Mr Irvine Patnick, OBE, MP

Lords in Waiting (Government Whips in the House of Lords)
The Viscount Ullswater
The Lord Reay
The Earl of Strathmore and Kinghorne

Resignations
The following ministers have tendered their resignations from the Government; their former posts are given in brackets:

Rt Hon George Younger, TD, MP (Secretary of State for Defence)

Rt Hon The Lord Young of Graffham (Secretary of State for Trade and Industry)

Rt Hon Paul Channon, MP (Secretary of State for Transport)

Rt Hon John Moore, MP (Secretary of State for Social Security)

The Lord Glenarthur (Minister of State, Foreign and Commonwealth Office)

Rt Hon Ian Stewart, MP (Minister of State, Northern Ireland Office)

Mr John Butcher, MP (Parliamentary Under-Secretary of State, Department of Education and Science)

Mr John Lee, MP (Parliamentary Under-Secretary of State, Department of Employment)

Mr Donald Thompson, MP (Parliamentary Secretary, Minister of Agriculture, Fisheries and Food)

Mr Peter Viggers, MP (Parliamentary Under-Secretary of State, Northern Ireland Office)

The Baroness Hooper (Parliamentary Under-Secretary of State, Department of Energy)

The Lord Lyell (Parliamentary Under-Secretary of State, Northern Ireland Office)

The Earl of Dundee (Lord in Waiting – a Government Whip in the House of Lords)

An announcement about a further appointment to the office of Lord Commissioner of the Treasury will be made in due course.

In addition to his posts as Lord President of the Council and Leader of the House of Commons, Sir Geoffrey Howe will act as Deputy Prime Minister.

Mr Kenneth Baker, the new Chancellor of the Duchy of Lancaster, will not draw any ministerial salary.

With 22 members, the size of the Cabinet remains unchanged.

The Cabinet
Following the new appointments, the composition of the Cabinet is as follows:

Prime Minister, First Lord of the Treasury and Minister for the Civil Service
Rt Hon Margaret Thatcher, FRS, MP

Lord President of the Council and Leader of the House of Commons
Rt Hon Sir Geoffrey Howe, QC, MP

Chancellor of the Exchequer
Rt Hon Nigel Lawson, MP

Lord Chancellor
Rt Hon The Lord Mackay of Clashfern

Secretary of State for the Home Department
Rt Hon Douglas Hurd, CBE, MP

Secretary of State for Foreign and Commonwealth Affairs
Rt Hon John Major, MP

Secretary of State for Wales
Rt Hon Peter Walker, MBE, MP

Secretary of State for Employment
Rt Hon Norman Fowler, MP

Secretary of State for Defence
Rt Hon Tom King, MP

Secretary of State for Trade and Industry
Rt Hon Nicholas Ridley, MP

Chancellor of the Duchy of Lancaster
Rt Hon Kenneth Baker, MP

Secretary of State for Health
Rt Hon Kenneth Clarke, QC, MP

Secretary of State for Education and Science
Rt Hon John MacGregor, OBE, MP

Secretary of State for Scotland
Rt Hon Malcolm Rifkind, QC, MP

Secretary of State for Transport
Rt Hon Cecil Parkinson, MP

Secretary of State for Energy
Rt Hon John Wakeham, MP

Lord Privy Seal and Leader of the House of Lords
Rt Hon The Lord Belstead

Secretary of State for Social Security
Rt Hon Antony Newton, OBE, MP

Secretary of State for the Environment
Rt Hon Christopher Patten, MP

Secretary of State for Northern Ireland
Rt Hon Peter Brooke, MP

Minister of Agriculture, Fisheries and Food
Rt Hon John Selwyn Gummer, MP

Chief Secretary to the Treasury
Rt Hon Norman Lamont, MP

For a full list of government ministers, see COI reference paper *United Kingdom Government Ministers*, No 61/89/1.

The Legal Profession and Legal Services

Under the Government's proposals to develop fresh ways of providing legal services to meet the needs of clients, solicitors will be able to acquire new rights of audience in the higher courts, building societies and banks will be able to offer conveyancing services, and people wanting to take legal action will be able to negotiate a form of no-win, no-fee agreement with their legal advisers.

Published in a White Paper on 29 July,[1] the proposals are designed to remove unnecessary restrictions and to improve access to justice. The White Paper says: 'The overall aims are to give the public as wide a choice as possible in the providers of legal services available to them, whilst at the same time maintaining the high standards of integrity and competence which are necessary for protecting the interests of the client and for the more general public interest in the administration of justice.'

The objectives of the proposed legislation are to lay down standards of education and training in the provision of services in advocacy or the conduct of litigation; to maintain standards of conduct by practitioners; and to meet these objectives by ensuring that there are no obstacles to access to justice.

The proposals followed a period of consultation occasioned by three Green Papers published in January (see pp 39-40).

Wider Choice

Rights of Audience

The Government believes that the public should have the widest possible choice among properly qualified advocates, who should be able to compete fairly with one another for the business available from clients. The White Paper therefore proposes that a statutory framework should be created to permit extended rights of audience, both for present advocates in more courts, and for new classes of advocates. This would, however, depend on advocates being able to demonstrate high standards of competence and conduct.

In the Government's view, the professional bodies and other organisations whose members provide legal services should satisfy the courts and the public that their members can meet the high standards required for rights of audience. They would do this by determining that particular persons were qualified, in accordance with the appropriate rules, to appear in the courts. These standards and their monitoring by the professional bodies would, however, be subject to independent scrutiny and public comment.

Barristers called to the Bar by one of the Inns of Court, in accordance with the regulations on education and training, would have rights of audience in all courts and appropriate tribunals provided that they complied with the rules of conduct made by the Bar. As before, the Law Society[2] would decide which persons were qualified to be solicitors but in future would have power to declare solicitors qualified, in terms of regulations for education and training, to appear for clients in any specified level of court. A person declared by the Law Society to be qualified for particular courts or tribunals would then have rights of audience. In both cases the Bar and the Law Society would need to satisfy the Lord Chancellor and the judiciary that their members could uphold appropriate standards of competence and conduct. The rules would determine the training and experience necessary for a solicitor to have rights in a particular court and these qualifications would be obtained in stages. On qualification, all solicitors would receive rights of audience equivalent to their existing rights; those wishing to proceed to further rights of audience would then be expected to undertake a subsequent period of practical experience of advocacy under supervision. Progress to further rights would not be automatic but conditional on the attainment of a standard of competence determined by the rules of the court or courts concerned.

The Government is also proposing that a power should be provided to add to the list of bodies which can grant rights of audience.

Conduct of Litigation

Under the present law it is an offence for anyone other than a solicitor to start or conduct litigation in any civil or criminal court, except as a litigant in person. Because the Government believes that this statutory monopoly hinders the ways in which legal services might develop, the White Paper proposes that the law should be amended to enable anyone to practise who has the appropriate level of expertise for the needs of the work concerned. The Law Society would be designated as being able to grant rights of litigation subject to ensuring the necessary standards of competence and conduct. Other professional bodies could also be so authorised, provided that they, too, could satisfy the Lord Chancellor and the senior judges, in the light of advice from the Advisory Committee (see below), that they could set and maintain appropriate standards of competence and conduct.

Conveyancing

The White Paper says that banks, building societies and other authorised practitioners should be allowed to offer conveyancing services in the house purchase market. (Conveyancing deals with the transfer of legal rights to property.) This would not, however, be allowed in situations where conflicts of interest were regular or inescapable. Moreover, the qualified conveyancer undertaking the transaction would have to offer the client a personal interview to be sure that no conflict arose and would have to identify any areas in which independent advice might be desirable. Authorised practitioners would also be required to certify to their regulatory authorities that they were not cross-subsidising conveyancing services from their other activities and to disclose financial benefits from all aspects of the transaction. Any attempt to make the provision of one service conditional on taking others would be prohibited.

New legislation would provide for the Lord Chancellor to recognise professional bodies and other organisations as competent to authorise their members to provide conveyancing services; they would also have to enforce a code of conduct for the provision of such services.

Probate

The classes of people who can draw up papers for probate would be extended to include trust corporations; the Lord Chancellor would also be authorised to include other groups if they could demonstrate the appropriate standards. In addition to the protection already provided by the require-

[1] *Legal Services: A Framework for the Future.* Cm 740. HMSO, £8·90. ISBN 0 10 107402 6.

[2] The General Council of the Bar and the Law Society are the professional organisations for barristers and solicitors respectively.

ment that the applicant for the grant of probate swear an oath that he or she will administer the estate according to law, the Government intends to create a new criminal offence of making a dishonest statement for the purpose of an application for a grant of probate.

Maintenance of Quality

The Advisory Committee

The White Paper proposes that there should be a new Lord Chancellor's Advisory Committee on Legal Education and Conduct to give advice to all bodies which are authorised to grant to their members rights of audience, the right to conduct litigation or the right to prepare probate documents. It would also advise the Lord Chancellor and the judiciary on arrangements for ensuring proper standards of competence and conduct in the provision of legal services. In addition, the Committee would be concerned with the education and training of lawyers at the academic, vocational and post-vocational stages. The professional bodies and other organisations, the Lord Chancellor and the judges would all be required by statute to have regard to advice from the Committee on the discharge of their statutory functions. The Committee would be financed from public funds and would report to Parliament annually on all aspects of its work and on specific issues as appropriate. The Committee would comprise a Lord of Appeal in Ordinary or Judge of the Supreme Court as Chairman, two practising barristers, two practising solicitors, two academic lawyers and eight people from outside these categories.

Role of Professional Bodies

Under the proposals, professional bodies would be responsible for preparing the regulations and codes which would set qualification standards and practice requirements for advocacy and the conduct of litigation. Any new rules would require the agreement of the Lord Chancellor. Because the courts depend on the competence and probity of advocates and litigators, it is proposed that the consent of senior judges should be required for new regulations or codes to become effective.

Legal Education

The Advisory Committee would offer advice to the professional bodies on their vocational courses and on the standards and selection procedures for schemes to recognise legal practitioners and others as specialists in particular areas of the law. It would also comment on the need for such schemes.

Conduct, Complaints and Discipline

The Government is proposing a range of measures to ensure that complaints from members of the public about legal services provided to them can be simply and effectively met. The White Paper says that arrangements will be considered for a joint disciplinary body of the Bar and the Law Society, involving members of the judiciary when appropriate, to provide a mechanism and common standards for dealing with complaints about court work. The courts' own powers to deal with poor work would also be strengthened. Under the present system some courts can order that a solicitor should bear personally the costs of any part of an action if work has fallen short of competent standards. The White Paper proposes that this rule should be extended to all litigators and all advocates, and that magistrates' courts should also exercise this power. To strengthen the complaints system a new office of Legal Services Ombudsman would have wide powers to examine the way in which complaints against legal practitioners had been investigated by the professional bodies and, where appropriate, investigate such complaints directly. The Ombudsman, whose jurisdiction would cover both professional misconduct and negligent work, would have the power to recommend the payment of compensation in most cases.

New Ways of Working

Competition

The Government says that aspects of the legal profession's work and organisation, which do not require regulation in the interests of justice, might need to be scrutinised to ensure that there are no unnecessary restrictions on competition. Professional bodies' rules and practices would therefore be subject to consideration under proposed legislation on restrictive trade practices. Rules approved by the Lord Chancellor would, however, be exempt from prohibition.

Multidisciplinary Partnerships

The Government is concerned to ensure that clients have ready access to independent legal advice and have an adequate choice of specialist practitioners. It believes that the professions should decide how best to organise themselves to meet clients' needs. The statutory prohibition on the formation of partnerships between solicitors and other professionals would be removed, although the Bar and the Law Society would continue to make rules preventing such partnerships if they so wished. Such rules would be excluded from prohibition in the proposed competition legislation, only to the extent that this was justified by the needs of advocacy or the conduct of litigation.

Multinational Partnerships

It is proposed that the statutory prohibition on the formation of partnerships between barristers or solicitors and lawyers from another jurisdiction should be removed. Arrangements would also be made to ensure that United Kingdom lawyers should have those rights to practise within the three domestic jurisdictions (England and Wales, Scotland, and Northern Ireland) that are at least equivalent to those available to lawyers from the other European Community countries.

Fees

The White Paper says that clients should be able to agree with their lawyers conditional fees on the speculative basis already permitted in Scotland but that this should not apply to criminal and family proceedings. Under the Scottish speculative action, payment of normal fees is only made in the event of success. The Government accepts, however, that it would be reasonable for a lawyer representing a client on this basis to balance the risks of losing the

case and ending up with no costs by charging at a higher rate than would have been appropriate but for the conditional factor. The Lord Chancellor would, therefore, be given power to prescribe by subordinate legislation the maximum uplift – expressed in terms of a moderate percentage of the normal costs – which the lawyer could charge when acting for a conditional fee.

Judicial Appointments

The Government believes that the prospect of appointment to the judiciary should be an encouragement for men and women who have made the law their career to reach the highest standards of service to the public. The White Paper states, therefore, that this encouragement should be open to all if it is to operate as an effective stimulus to excellence in all parts of the legal system. All those who have held the appropriate advocacy qualifications for suitable lengths of time would be eligible for judicial appointments.

Magistrates' Courts

An official scrutiny of magistrates' courts in England and Wales has concluded that the system should be reorganised as an executive agency responsible to the Home Secretary but operationally independent.[1]

The scrutiny was set up in January 1989 to review the arrangements governing the distribution, management and control of resources in magistrates' courts and to make recommendations; it was also asked to make proposals for any changes in management structures in the magistrates' court service.

In a statement issued on 19 July, the Home Secretary, Mr Douglas Hurd, welcomed the report's 'thorough and perceptive analysis of the problems facing the magistrates' courts service' and said that, before reaching decisions, he wanted to receive the considered views of the bodies representing the magistracy, justices' clerks and their staff and local government authorities, and to provide an opportunity for more general public comment.

Background

Magistrates' courts deal with 95 per cent of criminal proceedings and also decide whether a person charged with an indictable offence (the most serious crimes) should be committed to the higher Crown Court where verdicts are decided by a jury. They also enforce all fines. Their wide non-criminal jurisdiction covers domestic work, such as matrimonial cases and adoption proceedings, and also includes the issue of licences relating to liquor, betting and gaming. In addition, their jurisdiction covers the recovery of civil debt. There are 28,000 lay magistrates. They are advised on law, practice and procedure by justices' clerks who must be professionally qualified lawyers of five years standing. The courts are locally organised and receive 80 per cent of their finance from central government. The cost of the service is some £200 million a year and it has 10,000 staff. Some 63 stipendiary magistrates, who are full-time and legally qualified, usually preside in courts in urban areas where the workload is heavy.

The Scrutiny Report

The scrutiny report concludes that the present statutory arrangements for the management and financing of the magistrates' courts are unsatisfactory, with the result that available resources are not being used effectively and efficiently. In particular, the report says that the present system has never been systematically appraised and has not adapted itself to take account of the enormous increase since 1949 in the volume of business and the fact that central government meets most of the costs.

It therefore recommends that the courts should be run as a national service funded entirely by central government with maximum delegation of managerial responsibility and control of resources to the local level. It believes that the service should become an executive agency administered by a Director-General and a management board appointed by, and accountable to, the Home Secretary in whom ultimate control would be vested. The agency would be a separate organisation with its own headquarters, staff and pay, and there would be a national framework agreement between the Home Secretary and the Director-General setting out policy objectives, priorities and overall budgets which would be published and laid before Parliament, as would the Director-General's annual report.

Locally, the service would be organised in about 30 areas, each of which would have an organisation headed by a chief executive responsible for agreeing a management plan with headquarters and for planning the work and organisation of the area's staff, offices and other resources. Day-to-day management of courts, including liaison with magistrates, would rest with qualified lawyers selected and trained as court managers.

[1] *Magistrates' Courts: Report of a Scrutiny 1989.* Two volumes. HMSO, £8·95. ISBN 0 11 340963 X.

Criminal Evidence in Northern Ireland

The House of Commons has approved the Police and Criminal Evidence (Northern Ireland) Order designed to reform the law relating to the investigation and detection of crime and to revise the law on evidence.

In both structure and content the provisions of the Order correspond closely with those operating in England and Wales under the Police and Criminal Evidence Act 1984 (see pp 400-4, 1983 and pp 397-9, 1984). The debate took place in the House of Commons on 17 July (*Hansard*, Vol 157, No 145, cols 153-73).

Stop and Search

The Order introduces new powers to allow the police to stop and search people and vehicles on reasonable suspicion for stolen goods, offensive weapons and other dangerous articles. The powers are accompanied by safeguards to ensure that they are used fairly and responsibly and with due regard to the rights of individuals coming into contact with the police.

On the entry and searching of premises, the Order gives powers under which the police may apply to a justice of the peace for a warrant to search for material which is relevant evidence of an offence. This procedure cannot be used for certain categories of material held in confidence and in these circumstances the police must apply to a county court judge. These procedures – in line with the 1984 Act – are supplemented in the Order by an additional ground on which the police may base an application for a search warrant, namely the protection, for example, of sources of sensitive information in cases of serious fraud. The decision on whether to grant such a warrant will remain entirely a matter for the courts.

Arrest and Detention

The Order also follows the 1984 Act by restructuring and clarifying the law on arrest, the most important change being that serious common law offences, such as kidnapping and conspiracy to defraud, are now to become arrestable offences, as in England and Wales (see p 403, 1983).

On the detention of suspects, the new system will have three important elements. First, the Chief Constable of the Royal Ulster Constabulary will have to designate a number of police stations with the ability to provide adequate interview and cellular accommodation for suspects. Secondly, a custody officer will be appointed at each designated station with independent responsibility for the welfare of suspects and the protection of their rights. Thirdly, the police will be required to take any suspect to one of the designated stations if he or she is likely to be detained in custody for longer than six hours; this means that the suspect will come under the immediate protection of the custody officer and will have an opportunity to exercise the rights available to people detained by the police.

As in England and Wales under the 1984 Act, the Order states that the need for a suspect's detention should be independently reviewed at regular intervals by a senior police officer who, at each stage, must be satisfied that the grounds for detention continue to apply. In serious cases and where the suspect is detained without charge, he or she will only be detained for 36 hours on the authorisation of the police. If further detention is necessary, it will have to be authorised by a magistrates' court at which the suspect will be entitled to legal representation. No-one may be held in police custody on any authorisation for longer than 96 hours without charge.

Questioning

On questioning and treatment, the Order gives a suspect rights to have someone informed of his or her arrest and to consult a solicitor privately; any delay with regard to the exercise of these rights will have to be authorised by a police officer and even then for a period not exceeding 36 hours and only in cases involving a serious arrestable offence.

The Order provides for the tape recording of interviews with suspects. Tests will soon be carried out in Northern Ireland and, once they have been evaluated, arrangements will be brought into operation as soon as practicable. The Order also incorporates provisions from the Criminal Justice Act 1988 under which the police in Northern Ireland can take body samples. The main difference between these provisions and those applying in England and Wales is that for Northern Ireland a swab taken from a suspect's mouth has been defined as a non-intimate sample and can be taken without consent. These powers have been available to the Northern Ireland police for almost a year and courts have found evidence derived from them useful in cases already brought to trial.

Evidence

On evidence, the Order is designed to clarify the nature of what may be admitted as evidence in court and to ensure the fairness of proceedings. The courts will therefore be required to exclude any confession obtained by oppression or under circumstances that would adversely affect its reliability. Evidence that would adversely affect the fairness of proceedings could also be excluded.

Provision is also made for the giving of evidence in court through live television links. Initially this will cover only child witnesses and those in fear in Northern Ireland, but the Order includes powers to allow for extension in due course of live television evidence to such witnesses from England, Scotland and Wales and from outside Britain.

Other Matters

The Police Authority, in consultation with the Chief Constable, will be responsible for making appropriate arrangements for obtaining the views of the community on policing.

The changes – to be implemented in 1990 – apply to the ordinary criminal law but not to the emergency legislation designed to deal with terrorism (see pp 3-4, 1987 and pp 89-90, 1988).

Shorter Notes

EXECUTIVE AGENCIES

The Minister of State for the Civil Service, Mr Richard Luce, announced in the House of Commons on 26 July that a total of eight executive agencies had been set up under the Government's Next Steps initiative (see pp 94 and 261-2, 1988) and that over 30 areas of government activity, covering around a third of the Civil Service, had been announced as candidates for agency status. The candidates included the social security operations which the then Secretary of State for Social Security had announced in May (see p 245) as his intention to set up as agencies covering virtually the whole of his

Department. The aim of Next Steps, Mr Luce said, was better value for money and better service to the public. Success would be measured not simply by the number of agencies set up but by the improvements in performance, to the overall benefit of taxpayers, customers and staff, that were expected to result.

The following executive agencies were established up to July 1989:

Vehicle Inspectorate (Department of Transport – DTp, see p 261, 1988)
Companies House (Department of Trade and Industry – DTI, see p 349, 1988)
Her Majesty's Stationery Office
National Weights and Measures Laboratory (DTI, see pp 205-6)
Warren Spring Laboratory (DTI, see pp 205-6)
Resettlement Units (Department of Social Security – DSS, see p 245)
Civil Service College (Office of the Minister for the Civil Service – OMCS)
Queen Elizabeth II Conference Centre (Property Services Agency – PSA).

The following activities were publicly announced by the responsible ministers as under consideration for agency status at July 1989. Their progress varies, with some at a much more advanced and certain stage than others:

Building Research Establishment (Department of the Environment – DOE)
Central Office of Information
Central Statistical Office
Central Veterinary Laboratory (Ministry of Agriculture, Fisheries and Food – MAFF)
Civil Service Commission Recruitment Service (OMCS)
Civil Service Occupational Health Service (OMCS)
Crown Suppliers Fuel Branch (PSA)
Defence Non-Nuclear Research Establishments (Ministry of Defence – MOD)
Department of the Registers of Scotland (Scottish Office)
Driver and Vehicle Licensing Directorate (DTp)
Driver Testing and Training (DTp)
Employment Service (Department of Employment – DE)
Forensic Science Service (Home Office)
Historic Buildings and Monuments Directorate (Scottish Office)
Historic Royal Palaces (DOE)
Insolvency Service (DTI)
Intervention Board for Agricultural Produce
Laboratory of the Government Chemist (DTI)
Land Registry
Meteorological Office (MOD)
National Engineering Laboratory (DTI)
National Physical Laboratory (DTI)
Passport Department (Home Office)
Patent Office (DTI)
Planning Inspectorate (DOE)
Radiocommunications Division (DTI)
Royal Parks (DOE)
Social Security Benefits Agency (DSS)
Social Security IT Services Agency (DSS)
Training Agency (DE)
Vehicle Component Approval (DTp)
Veterinary Medicines Directorate (MAFF)
Employment and Training Agency (Northern Ireland Civil Service – NICS)
Rating Division (NICS)
Social Security Operations (NICS)

Source: *Hansard*, Vol 157, No 152, written answers, cols 699-700.

EQUAL OPPORTUNITIES IN THE CIVIL SERVICE

A report published by the Office of the Minister for the Civil Service on 18 July reviews progress in implementing equal opportunity policies for women in the Civil Service and focuses in particular on the development of part-time working, childcare and career break provisions. Commenting on the report, the Minister for the Civil Service, Mr Richard Luce, said: 'The Civil Service is continuing to make good progress in improving women's career and employment opportunities. The increasing availability of part-time work . . ., childcare facilities and career break schemes is enabling women who wish to continue with a career after having children to manage both work and home responsibilities effectively.' Helping women to carry on with their careers after a career break would, said Mr Luce, ensure that the numbers of women in senior positions continued to grow and that all staff had the opportunity to develop their full potential. 'In the 1990s – when the number of school-leavers entering employment will decline – the ability to offer good career opportunities to both women and men will be essential for the Civil Service and for all employers.'

The report states that greater numbers of women at senior levels in the Civil Service reflect a narrowing of the gap between men's and women's promotion rates. In 1988, 5 per cent of staff in the top three grades of the Civil Service were women (compared with 4 per cent in 1987); 9 per cent at Grade 5 were women (8 per cent in 1987); 10 per cent at Grade 7 (8 per cent in 1987); and 37 per cent at Executive Officer level (34 per cent in 1987).

The Civil Service has increased opportunities for part-time working. In 1988, 10 per cent of women (25,600 staff) in the non-industrial Civil Service worked part-time compared with 8·7 per cent in 1987; in 1988 some 218 part-time male and female staff held Grade 7 posts (148 in 1987) and 18 Grade 5 positions (13 in 1987). Staff in part-time posts were undertaking a wide range of jobs, including policy development and providing advice to Ministers and senior managers, staff management, case work, computing, and clerical and secretarial work.

By the end of 1988, 15 departments were providing members of staff with access to holiday play schemes, compared with eight in 1987. Two new inter-departmental schemes and two other schemes for the Departments of Health and Social Security came into operation during the first half of 1989. In order to improve childcare provision in the Civil Service, departments are free to give financial support to childcare where it can be justified in terms of value for money and does not increase running costs. The Home Office, the Ministry of

Defence and the Civil Service College are already developing plans for nursery facilities for children under five; other departments are assessing the likely demand for such schemes among their staff.

Some 13 departments have set up 'keeping-in-touch' schemes for staff who resign for domestic reasons; nine others have schemes in preparation. These schemes are designed to help staff on career breaks (for example, women staying at home to look after their children) to maintain contact with their employers and facilitate their return to work. The introduction in early 1989 of arrangements allowing staff to take up to five years special leave should increase further the effectiveness of career break provision.

The report recommends that departments should build on the good practice established over recent years and make full use of new policies on childcare funding and special leave. This should lead to greater equality of opportunity for women in the Civil Service and help departments to attract, develop and retain people with vital skills, expertise and experience.

Sources: *Hansard*, Vol 157, No 146, written answers, col 117. *Career Break and Childcare Provisions in the Civil Service: Review of Progress 1989*. Office of the Minister for the Civil Service. Available free from Equal Opportunities Division, Cabinet Office (OMCS), Horseguards Road, London SW1P 3AL. ISBN 0 7115 0166 1.

CRIMINAL JUSTICE ACT 1988

A new power for the Court of Appeal to order a retrial in cases where guilty people could escape justice on a technicality is among provisions of the Criminal Justice Act 1988 which came into effect on 31 July. Another provision allows individuals and the media to challenge orders made by Crown Court judges restricting the reporting of, or public access to, trials.

The Act enables the Court of Appeal in England and Wales to have a case retried rather than be forced to quash a conviction because of a technical defect in the original trial, such as a mistake in procedure or a misdirection to the jury. Previously, the Court could only order a retrial if new evidence came to light. If a retrial takes place, it must normally occur within two months; this time limit can only be extended if the Court is satisfied that the prosecution has acted expeditiously and there is still good and sufficient cause for a retrial. The new power brings England and Wales into line with existing legal arrangements in Northern Ireland and Scotland.

A statutory right of appeal has been established under the Act against contempt of court orders restricting the reporting of, or public access to, trials. It deals with orders under the Children and Young Persons Act 1933 prohibiting the identification of children involved in trials concerning decency or morality and an order by a judge that proceedings or applications should be held *in camera* or in chambers. In addition, where the prosecution applies for all or part of a case to be held *in camera* – perhaps for reasons of national security or to protect a witness – it must give notice of seven days and publicly display the notice in the precincts of the court.

A third provision of the Act, which came into force, enables administrative preparations to be made for the raising of the age limit for jurors from 65 to 70 which will take effect in February 1990.

Source: Home Office press notice, 28.7.89.

WAR CRIMES

A change in the law has been recommended by a government inquiry[1] to permit the prosecution in Britain of acts of murder and manslaughter committed as war crimes in Germany or German-occupied territory during the second world war by people who are British citizens or who are resident in Britain.

The inquiry team, consisting of the former Director of Public Prosecutions, Sir Thomas Hetherington, and the former Crown Agent for Scotland, Mr William Chalmers, was asked by the Home Secretary, Mr Douglas Hurd, in February 1988 to consider allegations that people who were British citizens or resident in Britain had committed war crimes during the second world war and to advise on whether the law should be changed to enable them to be prosecuted for such crimes.

Giving details to the House of Commons on 24 July, Mr Hurd said that the inquiry had dealt with allegations of horrific killings on a large scale – crimes which would constitute violations of the internationally agreed laws and customs of war. The allegations were not about actions committed in the heat of war but concerned individuals allegedly holding senior positions in paramilitary units operating in German-occupied territory whose task was the systematic murder of civilians. The inquiry, continued Mr Hurd, had examined in detail seven cases and had concluded that in respect of four individuals (one of whom had since died) there was sufficient evidence to mount a criminal prosecution and that further investigations should take place of the three others. Of the nearly 300 other cases drawn to the attention of the inquiry, it recommended further investigation of 75 and that attempts should be made to trace 46 other individuals.

On the main recommendations, Mr Hurd said that the Government was impressed by the force of argument that had led to the conclusion that legislation was required. Before taking a final view on the principle of legislation, the Government wanted to hear the views of Parliament and it would therefore provide an opportunity for each House to debate the implications of the report and the subsequent action that should be taken.

Source: *Hansard*, Vol 157, No 149, cols 731-43.

[1] *War Crimes: Report of the War Crimes Inquiry*. HMSO, £9·60. ISBN 0 10 107442 5.

British Policy towards Eastern Europe and the Soviet Union

Britain's policy towards the countries of Eastern Europe and the Soviet Union was outlined in the Government's reply to a report from the House of Commons Foreign Affairs Committee.

GOVERNMENT OBSERVATIONS

The Government shared the Committee's view that reforms in Eastern Europe and the Soviet Union should be encouraged, even though they were still incomplete.[1] The Government said that, although Soviet leaders were developing an outlook and foreign policy which were, on some issues at least, increasingly constructive and seemed to be based on a pragmatic political approach instead of the old-style antagonistic ideology, the potential military threat posed by the Soviet Union and the Warsaw Pact remained high. The Government agreed with the Committee that the West 'must remain on its guard in its security policy', and had to take into account areas – such as the continuing build-up of Soviet intelligence activity (see pp 230-1) – where little or no change had occurred. Also, while it was clear that the threshold of Soviet tolerance of developments in Eastern Europe was a good deal higher than in the past and that direct Soviet intervention in any Eastern European country had become less likely, it would still not be prudent to conclude that the Soviet Union would acquiesce in any political development which, in its view, seriously undermined its security.

Western Response

The Government agreed with the Committee that, although it was uncertain how far it lay within the West's power to influence reforms in the Soviet Union and Eastern Europe, Western actions and responses could have a positive effect if these were carefully focused and co-ordinated in a common strategic framework covering not only security and arms control but also economic and trade policy and political contacts.

[1] *Eastern Europe and the Soviet Union*. First Report from the House of Commons Foreign Affairs Committee. Session 1988-89. Report, together with the Proceedings of the Committee, Minutes of Evidence and Appendices. HMSO, £22. ISBN 0 10 201689 5. *Observations by the Government on the First Report*. Cm 708. HMSO, £2. ISBN 0 10 107082 9. (See p 289.)

Eastern Europe

In policy towards Eastern Europe, the Committee had recommended an approach which would *inter alia* encourage the Soviet Union to exercise restraint and to respect the wishes and preferences of the people in Eastern Europe: this view was broadly in line with the Government's approach, 'although it is couched in a way which implies more caution than we [the Government] believe entirely justified. Encouraging and assisting economic and social change in practical ways open to the West does, we believe, foster and give confidence to political changes.'

Human Rights

On human rights, the Government agreed with the Committee's statement that 'human rights and the relationship between the individual and the state lie at the heart of the relationship between East and West'. The British Government attached a high priority to pressing the Soviet Union and the Eastern European countries 'to allow their citizens to enjoy the full range of human rights and freedoms, in line with their CSCE [Conference on Security and Co-operation in Europe] and other commitments. We are looking for the institutionalisation of real and durable reform, not just individual gestures (however welcome these may be).'

The CSCE process had played a major role in recent improvements in human rights in Eastern Europe. Britain had used a new mechanism in the Vienna Concluding Document (see pp 43-9), designed to help ensure that countries fulfil their commitments, and had invoked it, in conjunction with its European Community partners, in cases involving Czechoslovakia, the German Democratic Republic and Romania. Britain had also played an active part in the CSCE Paris Conference on the Human Dimension, as well as developing an increasingly worthwhile human rights dialogue with Soviet officials in six-monthly meetings to complement its regular ministerial exchanges.

Economic Relations

The Government also accepted that the movement towards normal economic relations with the West would be gradual and lengthy, mainly because of the failure of the socialist economic system. There was, however, some scope for Western involvement in lower priority programmes if joint venture terms could be arranged. There were over 30 joint ventures concluded between British companies and Soviet enterprises (including contracts signed in

April between GEC-Plessey Telecommunications and the Moscow City Telephone Network which provide for the introduction of credit card payphones in Moscow), and others were under negotiation (see pp 129-30); British firms were also becoming increasingly involved in Eastern Europe as the individual countries liberalised their foreign investment rules. However, the Government was concerned about the effects of a recent Soviet decree which appeared to place limits on the joint venture framework, and about the fact that progress was slow in Eastern Europe, with only some half dozen British joint ventures in Poland and only slightly more in Hungary.

The Government's aim was to encourage trade with Eastern Europe and to promote the opportunities which already existed and the mechanism (such as joint ventures) by which trade could be expanded, while also ensuring that companies were made aware of the problem areas. The Department of Trade and Industry supported companies trading with the Soviet Union through trade fairs and outward and inward missions. Ministerial visits also played an important role as a means of expanding fruitful commercial contacts. In addition, the Export Credits Guarantee Department (ECGD) provided credit facilities when the economy of the country concerned was regarded as sufficiently strong and the project considered to be commercially sound. However, the ECGD would not give blanket support to all the countries of Eastern Europe, nor to all buyers in any country.

Noting the Committee's recommendation to expand management training schemes for students from the Soviet Union and Eastern Europe, the Government pointed out that directors of Polish management training schools were to visit Britain in October for a programme of meetings with their British counterparts, and that plans were being examined for future courses for managers from the Soviet Union and some Eastern European countries. A further £500,000 is being made available from 1989-90 for awards to students from Eastern Europe and the Soviet Union under the Foreign and Commonwealth Office scholarships and awards scheme, raising the total scholarship provision for 1989-90 to over £700,000 (including Yugoslavia).

The Government supported the Committee's recommendation for further detailed and practical co-operation with the Soviet Union and Eastern Europe over environmental issues, and British officials had already visited the Soviet Union in April for exploratory talks. In much of Eastern Europe governments were now giving the environment higher priority, and Britain was ready to consider proposals for practical co-operation. Seminars have taken place under the auspices of the GB/East Europe Centre.

The Government also said that the Committee's recommendation that every opportunity ought to be taken within the Co-ordinating Committee for Multilateral Export Controls (COCOM)[1] to reduce the list of embargoed items to the minimum required for genuine military purposes was in line with established government policy. It agreed that the number of controlled items covered by the COCOM list was too long, but pointed out that COCOM operated by unanimity, and progress in reducing the size of the list had so far been slower than the Government wanted. None the less, Britain had achieved a modest reduction, and would continue to press the case for 'a realistic reduction and a tightening of partners' export control procedures which would result in higher barriers around fewer goods'.

The Government was playing an active role within the European Community to promote the negotiation of trade, commercial and economic co-operation with the East, believing that each Eastern European country had to be treated individually and on its own merits. Britain also recognised the importance of responding speedily and constructively to internal changes as they occurred.

East-West Contacts

The Government supported the Committee's proposal for improved parliamentary contacts. These would be beneficial when established with those Eastern European parliaments which reflected a genuine plurality of views and were able to influence the process of government. A number of exchanges were being discussed with regard to the newly elected Supreme Soviet.

British Council

On the Committee's recommendation that the British Council (see pp 263-5, 1988, and also COI reference paper *The British Council*, No 237/87) should spread its impact away from capital cities and should establish English language teaching (ELT) and courses in its offices in Eastern Europe, the Government said that the Council was planning to accelerate and increase its range of programmes with Eastern Europe and, in particular, to extend links in the Soviet Union away from the principal cities. With the support of the Foreign and Commonwealth Office, the British Council was having preliminary discussions with the Soviet Union about opening premises for cultural work separate from the British Embassy in Moscow, and was taking similar steps in Hungary and Bulgaria as well as in other Eastern European countries. The Council was also taking account of the huge demand for ELT, and, following a successful pilot scheme in Poland, planned to establish more study centres there and to extend this activity to the Soviet Union and Hungary.

BBC World Services

The Committee recommended the maintenance and extension of the BBC World Service broadcasts to the Soviet Union and Eastern Europe. The Government welcomed the Committee's support for these broadcasts, which play 'a useful role in providing a source of impartial information to the peoples of the Soviet Union and Eastern Europe, and are regarded as a high priority for external broadcasting'. Audibility was benefiting from the ten-year capital programme which would be completed in 1991-92. The case for changes in particular services had to be considered 'in the light of overall foreign policy priorities and the finite resources available',

[1]COCOM is an informal body of countries of the North Atlantic Treaty Organisation (NATO) except Iceland, and Japan, and was established in 1950 to control the export of strategic equipment, including atomic energy material, munitions and industrial goods of potential military use.

and the Government pointed out that current broadcast output was at its highest level since 1950 and that World Service funding had increased in real terms by 40 per cent since 1979.

Arms Control

The Government agreed with the Committee that the West should not ignore the potential military threat that the armed forces of the Warsaw Pact continued to present and that it had to remain on its guard in its security policy. Work was now being undertaken within the Alliance on the elaboration of a comprehensive concept on arms control and disarmament (see pp 222-30).

The Government shared the Committee's concern about the Soviet Union's continuing lack of candour about its chemical weapons capability, and welcomed its reaffirmation of support for Britain's objective of a comprehensive, effectively verifiable, global convention on chemical weapons. Bilateral exchanges on the issues involved in negotiations, including verification, were taking place between the United States and the Soviet Union.

On NATO's need for short-range nuclear forces (SNF) in Europe, the Government said that an agreement on conventional stability would affect NATO's requirements in terms of numbers of short-range nuclear missiles. However, there would be a requirement for the Alliance to retain SNF systems as an important element in the strategy of flexible response for the forseeable future. Given the incompatibility of the Warsaw Pact's aim of eliminating such weapons with Alliance strategy, the Government said, it remained to be seen whether there could be any fruitful outcome to an arms control negotiation in this field. Britain remained concerned at the great Soviet superiority in SNF missile launchers; unlike NATO (see p 264), the Warsaw Pact had made no reduction in recent years in its theatre nuclear stockpile. The Government said that the planned withdrawal of 500 nuclear warheads from Eastern Europe, as announced by the Soviet President, Mr Mikhail Gorbachev, on 11 May (see footnote to p 177), would be of limited significance, mainly because the move only involved a withdrawal, which could be easily reversed, rather than a reduction. However, if the Soviet Union emulated the Alliance's example and unilaterally reduced its SNF levels to those of the Alliance, this would enhance stability in Europe.

Finally, the Government strongly supported the Committee's conclusion that 'a common Western approach, which has brought us so far so successfully, is as vital as ever, based on shared values, shared interests and steadfast defence'.

Antarctic Minerals Convention

A Bill designed to enable Britain to ratify an international Convention on the Regulation of Antarctic Mineral Resources received its second reading in the House of Commons on 4 July.

BACKGROUND

Seven states – Britain, Argentina, Australia, Chile, France, New Zealand and Norway – claim territorial sovereignty over sectors of Antarctica. These states say that any minerals found in their respective Antarctic territories are theirs. Other states, notably the United States, the Soviet Union, the People's Republic of China, Japan and the Federal Republic of Germany, do not recognise these sovereignty claims and say that they have a right to take minerals in the Antarctic wherever they may find them.

Under the 1959 Antarctic Treaty, the issue of sovereignty was frozen, Antarctica was demilitarised and the area was made fully free for scientific research. The Treaty, however, said nothing about minerals. In 1977 the Antarctic Treaty Consultative Parties – the 12 original signatories of the Treaty, including Britain – decided that each should urge its nationals to refrain from all exploration and exploitation of Antarctic mineral resources while making progress towards the timely adoption of an agreed regime concerning these resources. This voluntary moratorium was extended in 1988 by the terms of the Final Act of the conference at which the Minerals Convention was adopted; this declares that 'all states represented at the meeting would urge their nationals and other states to refrain from Antarctic mineral resource activities as defined in the Convention pending its timely entry into force'.

Adopted by consensus at Wellington, New Zealand, in June 1988 and signed on behalf of Britain on 22 March 1989, the Convention was drawn up in order to control mineral development in the Antarctic. Under the Convention, prospecting is not subject to authorisation by the Antarctic Mineral Resources Commission or the other bodies to be set up but it is defined so as to ensure that the act of prospecting has no more effect on the environment than similar scientific research activity. Prospecting bodies would, however, have to comply with any relevant measures which the Commission might adopt in the future. It would be the responsibility of the prospector's country to make sure that the Convention was complied with.

Recognising that exploration and development involve far greater risks to the Antarctic environment, the Convention sets out stringent controls on them. Once it comes into force, no exploration or development can begin until all member states of the Commission unanimously agree that it should do so. Each state party to the Convention, therefore, has an effective veto on exploration and development within Antarctica. The Convention bans any exploration and commercial development until a separate protocol on liability has been negotiated. This protocol would set out detailed rules and procedures governing the operator's liability if damage should be caused to the environment. It would build on the liability provisions applying to prospecting already in the Convention. Negotiations on the protocol have not yet begun but they are expected to last for several years.

PARLIAMENTARY DEBATE

Government Statement

Introducing the Bill (*Hansard*, Vol 156, No 135, cols 212-48), the then Parliamentary Under-Secretary of

State for Foreign and Commonwealth Affairs, Mr Tim Eggar, said that there were issues at stake in the Bill that were critical for the future of the world environment: 'It gives us an important opportunity to protect our environment. If we do not take that opportunity, we risk inflicting catastrophic damage on our planet.'

Noting that the Antarctic Treaty had said nothing about minerals, Mr Eggar said that after many years of discussion the treaty parties had agreed that a total ban on mineral activity was simply not attainable and that, because of disputes over sovereignty, a regime covering mineral activity had to be in place well before any mining activity or prospecting began. As far back as 1970 it had been recognised that, if at some stage important mineral resources were found, an unregulated scramble could develop and have a most damaging effect on the Antarctic environment.

Prospecting

Mr Eggar said that the Bill would prohibit exploration and mining development activities in Antarctica by British companies and nationals while permitting prospecting activities authorised by the British Government or another contracting party to the Convention. The Bill would enable the Foreign and Commonwealth Secretary to grant licences for prospecting activities in accordance with the terms of the Convention. No prospecting licence would be granted unless he was satisfied that the activities were consistent with Britain's international obligations. In particular, the Secretary of State would have to be satisfied that the authorised activities would not cause adverse effects on air and water quality; significant changes in atmospheric, terrestrial or marine environments; significant changes in the distribution, abundance or productivity of populations of species of flora and fauna; or further jeopardy to endangered or threatened species. No licence could be issued if the activities would cause degradation of, or substantial risk to, areas of special biological, scientific, historic or wilderness significance. The Secretary of State would also have to be satisfied that technology and procedures were available to provide for safe operations and that there was capacity to monitor key environmental aspects. Moreover, prospecting would only be permitted under conditions that were so stringent that the Antarctic environment would not be significantly or adversely affected.

Entry into Force

Mr Eggar said that the Convention would enter into force once 16 countries ratified, or acceded to, it. The seven claimant states, including Australia and Britain, would have to be among the 16 as would the United States and the Soviet Union. The continued effectiveness of the existing voluntary moratorium on mining activity was conditional upon the Convention entering into force and upon it doing so in a timely manner. 'So, if any of the key states were finally to rule out ratifying, or acceding to, the Convention, that state would, by its actions, have destroyed the existing voluntary moratorium. That state would bear a severe responsibility for the consequences of its decision.'

Australia, continued Mr Eggar, had recently announced its belief that there should never be any mineral resource activity of any kind in the Antarctic and that only scientific research and a small amount of tourism should be allowed. Since Australia's ratification or accession was essential for the Convention to enter into force, Britain was disappointed at the Australian Government's decision and believed that it had not taken account of the possibilities offered by the Convention to meet its stated public objectives. The purpose of the Convention was precisely to avoid environmental damage from mining and was the only attainable means to ensure the protection of the Antarctic environment, since it had proved impossible to reach agreement on a mining ban in the 1970s. Moreover, it was highly unlikely that a mining ban would work as, in a world of increasing population and increasing pressures on a finite resource base, prospecting for minerals would continue. 'Instead of such prospecting being carried out openly within Antarctica and subject to proper control, as laid out in the Convention, it would be done covertly under the guise of scientific research.'

Mr Eggar said that the consequences of the Australian decision had to be debated and resolved in the same spirit of compromise and mutual accommodation which were the essential prerequisites if the Antarctic Treaty were to survive. Moreover, if the Australians were serious in their concern about the environment, they could fight for their particular points in the negotiations on the liability protocol called for by the Convention.

Concluding, Mr Eggar said: 'If we fail to pass the Bill, we shall throw away the only practical means of regulating mining activity in the Antarctic. We shall ensure instead that issues of territorial sovereignty will arise in an unmanageable form. The Antarctic Treaty system may well crumble and the international harmony and co-operation that have been the hallmark of matters relating to Antarctica in the past 30 years will come to an end.'

Opposition Views

Speaking for the official Opposition, Mr George Foulkes said that prospecting would inevitably lead to exploitation of Antarctic mineral resources. Moreover, there was nothing in the Bill or the Convention to stop countries colluding with their mining companies to flout the Convention. The legal mechanisms to enforce the Convention were also slow and cumbersome. Another area of concern was the fragility of the Antarctic ecosystem, the irreversibility of damage and the uniqueness of Antarctica.

Mr Foulkes said that, since the signature of the Convention, there had been significant developments which had changed political, public and environmental perceptions. There had been an oil spillage disaster in the Arctic off Alaska, and the French Government had said that France would not ratify the Convention without stronger environmental safeguards. Moreover, Australia wanted to ban all mining activity and establish an Antarctic wilderness park which would be developed within the framework of the Antarctic Treaty system. Britain needed to follow the lead given by Australia and France.

Concluding, Mr Foulkes said that Britain was rightly proud of its pioneering role in Antarctica. It had contributed to the understanding of environ-

mental dangers and more recently British scientists had discovered the hole in the ozone layer. Britain, therefore, needed to be 'in the vanguard of environmental protection in that last remaining, relatively unpolluted part of the globe – rather than be dragged along behind'.

The Social and Liberal Democratic spokesman, Mr James Wallace, said that no company or nation would embark on prospecting just for the sake of it; they would only do so if they could see an ultimate end in sight. Even if it was accepted that the Bill was designed purely to allow for prospecting, such activities would lead to many onshore developments, and pollution would arise from the disposal of waste and possible accidents. An effort was needed to achieve a comprehensive environmental protection policy in Antarctica.

Government Reply

Winding up the debate, Mr Eggar stressed that the Convention would prevent mineral exploitation except when it was agreed unanimously that it could proceed safely and without substantial risk to the environment. Any proposal for mineral activity would have to go through a rigorous four-stage process in which each state would have a veto on exploration and development. Moreover, any proposal to prospect, explore or develop could not be implemented unless enough information was available to allow informed judgements to be made on the environmental consequences. In relation to prospecting, any state sponsoring such activity would have to vouch for the adequacy of information available to it, and the Commission, set up under the Convention, would be able to challenge the sponsoring state in that area. In addition, a state could bring another to an arbitration tribunal if it believed that the rules were being broken, and urgent binding measures to protect the environment could be made by the tribunal. The Bill was the first piece of legislation to prohibit mineral exploration in Antarctica by British nationals and companies.

Concluding, Mr Eggar said that Britain's soundings of its Antarctic partners showed that the majority, including the United States, the Soviet Union, China and Brazil, strongly supported the entry into force of the Convention. A minority of countries, including France, had yet to make up their minds, and no others had committed themselves to supporting the Australian position.

Environmental Agreement with Brazil

Britain and Brazil are to co-operate in solving their environmental problems. A memorandum of understanding on technical co-operation was signed on 5 July by the then Minister for Overseas Development, Mr Christopher Patten, and the Brazilian foreign minister.

Mr Patten visited Brazil between 4 and 9 July, where he met Brazilian government officials and visited the country's Amazon region. The general objective set out in the memorandum is to co-operate in finding rational and adequate solutions to environmental problems. Co-operation is to comprise the exchange of experts and of information; the transfer of appropriate technology; and the joint organisation of seminars, symposiums and courses. The two countries are also to co-operate in the joint monitoring and study of environmental themes and are to exchange and supply equipment, products and instruments for the projects.

In a statement issued in Britain on 11 July, Mr Patten said that Britain hoped to concentrate assistance initially in five areas. The first would concern urban environmental problems. The second would be to help projects that would assist the sustainable management of the Amazon rainforest – the largest expanse of tropical rainforest in the world. These projects would include reforestation and agroforestry, sustainable forest harvesting, tropical moist forest regeneration and ecology, seed research and seed production.

In order to manage and conserve forestry in the long term, Mr Patten said, it was vital to learn more about the forests' flora and fauna. It was hoped that the first new project – the establishment of a biological reserve at Caxiuna near Belem – would be started in the next few months.

The third area of assistance would be the relationship between the forests and the climate. The Amazon contains more tropical rainforest than the rest of the world put together, and with its water resources forms a complex hydrological system whose influence on regional and global climate is uncertain, but could be critically important to global environmental stability.

Fourthly, Mr Patten observed, the Amazon was 'almost certainly the richest region in bio-diversity in the world'. Its wealth of aromatic and medicinal plants had great commercial potential. Britain would begin its assistance in this area by supporting a study of aromatic plants by the Goeldi Museum in Belem, and further studies in genetic resources and their conservation were planned.

The fifth area of Britain's assistance would be with training – in Britain and Brazil – in a range of related disciplines, including the assessment of the environmental impact of projects.

Mr Patten pointed out that the environmental threats to the world were so great that they could not be overcome without co-operation in tackling them. Britain had unique expertise in tropical forestry, and it made sense to offer Brazil the help of British scientists and researchers. It was also essential that scientists from the developing world were centrally involved in identifying environmental problems and working out solutions. The new agreement was the first of its kind that Brazil had signed with a developed country, while for Britain it was one part of a forestry initiative begun in 1988 which was intended to make a major contribution to the better management of the world's forests. Britain had already announced a substantial new forestry programme in India (see p 186).

The agreement with Brazil was 'a step forward – but it is only one step on a long road'. The Minister believed that agreement on tackling environmental problems would only be secured on the basis of

equality, 'not losing sight of the environmental imperatives, but recognising other peoples' sensitivities and sovereignty'. This might be a long and painstaking process, but it was the only way to mobilise the co-operative action and the understanding needed to deal with environmental problems.

Shorter Note

AID TO PAKISTAN

New British aid to Pakistan in the fields of social welfare and energy was announced on 11 July. The Government has promised $50 million in mixed credits and soft loans to provide British plant and equipment for private sector energy projects. The Government of Pakistan, with the assistance of the World Bank and bilateral donors, has been seeking to encourage investment in private sector energy projects, particularly those using indigenous resources, such as coal and gas, and the Overseas Development Administration (ODA) has already made technical co-operation grants available for development in this area.

British aid totalling £25 million has been promised for projects in the fields of teacher training, slum improvements, primary health care and rural water supplies. This builds on assistance currently being provided by the ODA in education, health and population programmes in Pakistan. In 1988 Britain's aid to Pakistan amounted to more than £23 million.

Source: Overseas Development Administration press notices, 11.7.89.

ECONOMIC AND SCIENTIFIC AFFAIRS

Paris Economic Summit

The fifteenth annual summit of the seven major Western industrialised nations took place in Paris from 14 to 16 July. It reaffirmed the policies that had brought about prosperity in these countries and expressed support for measures to deal with third-world debt. It also gave weight to problems of the environment, drugs and political and regional issues.

The summit was attended by the heads of state and government of Britain, Canada, France, the Federal Republic of Germany, Italy, Japan and the United States, together with representatives of the European Community. The sixteenth summit will be held in the United States in 1990.

In a statement in the House of Commons on 17 July (*Hansard*, Vol 157, No 144, cols 21-2), the Prime Minister, Mrs Margaret Thatcher, said that the summit had dealt with four main issues: economic matters, including third-world debt; the environment; drugs; and international relations.

The economic declaration, she continued, reaffirmed the sound policies that had brought increased prosperity to all seven countries. It dealt with inflation, external imbalances, structural reforms and protectionism; it also expressed support for the case-by-case approach to third-world debt problems and welcomed recent initiatives.

The declaration gave particular weight to global environment problems, especially the ozone layer and the greenhouse effect. It endorsed Britain's call for a convention under the United Nations framework on global climate change.

Very strong determination was expressed to deal with the problem of drugs, particularly the growing threat of crack (a by-product of cocaine).

The discussion of political and regional issues included agreement on the provision of practical support for political and economic reform in Eastern Europe; condemnation of repression in the People's Republic of China; appreciation of the need for a stable and prosperous future for Hong Kong; and a denunciation of terrorism.

DECLARATION

Economic Issues

The declaration said that the world economic situation presented three main challenges. First, there was the choice and the implementation of measures needed to maintain balanced and sustained growth, counter inflation, create jobs and promote social justice. Secondly, there was the need for progress in developing countries and their further integration into the world economy. Thirdly, there was the necessity to safeguard the environment for future generations.

The International Economy

Growth had been sustained by improving the efficiency and flexibility of economies and by strengthening co-operation and co-ordination. Current buoyant levels of investment should pave the way for an increase in the supply of goods and services and help to reduce the dangers of inflation. There were, however, risks: continued vigilance was required to contain inflation and further progress needed to be made in adjusting external imbalances through co-operation. Countries such as the United States, Canada and Italy, which had internal and external deficits, had to bring down their internal deficits. Such action might help to reduce the shortfall of savings compared with investment, help to ease inflation and encourage exchange rate stability against a background of declining interest rates. Countries such as Japan and the Federal Republic of Germany, which had external surpluses, should continue to pursue appropriate macroeconomic policies and structural reforms that would encourage non-inflationary growth of domestic demand and facilitate external adjustment. Those newly industrialising economies with substantial external surpluses should allow exchange rates to reflect their competitive position, implement their commitments under the General Agreement on Tariffs and Trade (GATT) and reduce trade barriers.

Since the exchange rate agreements made in New York in 1985 (see pp 317-18, 1985) and Paris in 1987 (see pp 95-6, 1987), there had been progress in the multilateral surveillance and co-ordination of economic policies with a view to ensuring internal consistency and international compatibility. There had also been continued co-operation in foreign exchange markets. It was important that this co-operative and flexible approach continued and, where appropriate, developed.

Economic Efficiency

The seven nations would continue to promote measures to do away with areas of economic inefficiency. These reduced potential growth rates and the prospects for job creation, diminished the effectiveness of macroeconomic policies and impeded

the process of external adjustment. The necessary measures were tax reforms, modernisation of financial markets, strengthening competition policies and reducing rigidities in all sectors, including manufacturing, energy and agriculture. Also essential were improvements in education, vocational training, transport and distribution, as well as policies directed at enhancing flexibility and mobility in the labour market and reducing unemployment. Within the European Community, the steady progress towards attainment of the single European market by 1992 (see p 49) had acted as a spur to economic efficiency.

The decline in saving in some of the seven countries had given rise to concern. A reduced level of saving could contribute to high real interest rates and could therefore hamper growth. Inadequate saving and large internal deficits were also associated with large external deficits. Accordingly, the declaration recommended policies to encourage saving and remove any hindrances that existed.

Financial activities were being increasingly carried out with new techniques and on a worldwide basis. International co-operation to tackle insider trading, which could hamper the credibility of financial markets, should be pursued and enhanced.

Trade Issues

Despite the rapid growth in world trade in 1988, protectionism remained 'a real threat'. Within the context of GATT, it would be resisted in all its forms. The successful meeting of the Trade Negotiations Committee of GATT in Geneva in April (see p 202) was welcomed. It provided a clear framework for future work in all sectors, including agricultural reform, services, trade-related investment and intellectual property (patents, designs, trade marks and copyright). The declaration expressed full commitment to further substantive progress in the Uruguay Round of GATT (see pp 328-9, 1986) in order to complete it by the end of 1990. It also noted with satisfaction the implemention of the free trade agreement between Canada and the United States and recent initiatives to strengthen the close economic relations between the European Community and the European Free Trade Association. Such regional developments as well as the trade aspects of the single European market programme should, the declaration stated, be trade-creating and complementary to the process of multilateral liberalisation.

Development

Development, the declaration noted, was 'a shared global challenge'. The industrialised countries would help the developing countries by opening the world trading system and by supporting their structural adjustment. They would also encourage economic diversification in commodity-dependent countries and the creation of a favourable environment for transfers of technology and capital. The continuing importance of official development assistance was underlined and the increased efforts of the summit countries here were welcomed. Developing countries were urged to implement sound economic policies, including the adoption of financial and fiscal measures that would attract inward investment, growth and the return of capital that had gone overseas.

The declaration welcomed the increasing grant element in assistance to the poorest countries and looked forward to a successful conference on the least developed countries in Paris in 1990. A case-by-case approach to the problem of third-world debt was reaffirmed. The declaration welcomed the recent decisions by the International Monetary Fund and the World Bank to encourage reductions in debt and debt servicing; urged debtor countries to make early progress on economic reforms that would lead to such reductions; and called for banks to take 'realistic and constructive approaches' in negotiations with debtor countries.

The Environment

The leaders stressed the urgent need to safeguard the environment for future generations. Scientific studies had revealed the existence of serious threats, such as the depletion of the stratospheric ozone layer and excessive emissions of carbon dioxide and other greenhouse gases which could lead to future climate change (see pp 240-1 and 282). They called for a determined and concerted international response and for the early adoption worldwide of policies based on sustainable development (see pp 305-9, 1988).

Scientific Research

They urged all countries to give further impetus to scientific research on environmental issues, combining their efforts in order to improve observation and monitoring on a global scale. International co-operation also needed to be enhanced in the field of technology and technology transfer in order to reduce pollution or to provide alternative solutions. Industry had a crucial role in preventing pollution at source, in reducing waste and conserving energy; the agricultural sector should also tackle water pollution, soil erosion and desertification.

Sustainable Development

The leaders said that environmental considerations had to be taken into account in economic decision-making, and that in order to achieve sustainable development they would ensure the compatibility of economic growth and development with the protection of the environment. They were encouraging the World Bank and regional development banks to integrate environmental considerations into their activities, and were asking international organisations, such as the Organisation for Economic Co-operation and Development, and the United Nations, to develop further techniques of analysis to help governments to assess appropriate economic measures to promote the quality of the environment.

The leaders expected that the United Nations Conference on Environment and Development in 1992 would give additional momentum to the protection of the environment. They emphasised the necessity of taking into account the interests and needs of developing countries in sustaining the growth of their economies and the financial and technological requirements to meet environmental challenges.

Depletion of the Ozone Layer

The declaration called for prompt action to protect the stratospheric ozone layer. The leaders welcomed the call of the signatories to the Montreal Protocol at their first meeting in Helsinki in May for the elimination of chlorofluorocarbons (CFCs) by the end of the century. More emphasis should be placed on projects providing alternatives to CFCs.

Climate Change

The declaration called for common efforts to limit emissions of carbon dioxide and other greenhouse gases, and strongly supported the work undertaken by the Inter-governmental Panel on Climate Change and the initiative by the World Meteorological Organisation to establish a global climatological reference network to detect climate changes. It urged the international organisations concerned to encourage economic and other measures to improve energy conservation and efficiency. The leaders were committed to maintaining the highest safety standards for nuclear power plants and recognised that nuclear power also played an important role in limiting output of greenhouse gases.

Deforestation also damaged the atmosphere and had to be reversed. The declaration called for the adoption of sustainable forest management practices, with a view to preserving the scale of world forests. It gave strong support to the rapid implementation of the Tropical Forest Action Plan, adopted in 1986 within the framework of the Food and Agricultural Organisation. Temperate forests, lakes and rivers should be protected against the effects of acid pollutants, such as sulphur dioxide and nitrogen oxides, and bilateral and multilateral efforts to this end should be actively pursued.

The leaders believed that a framework convention on climate change (as called for by Britain; see p 240) was urgently required to co-ordinate the efforts of the international community. They welcomed the work being undertaken by the United Nations Environment Programme, in co-operation with the World Meteorological Organisation and the Inter-governmental Panel on Climate Change.

Marine Pollution

The declaration condemned the indiscriminate use of oceans as dumping grounds for polluting waste, and called for the relevant bodies of the United Nations to prepare a report on the state of the world's oceans. The leaders urged all countries to make better use of the latest monitoring and cleaning technologies, and to implement fully the international conventions for the prevention of marine oil pollution.

Environmental Organisations

The declaration advocated the strengthening of existing environmental institutions within the United Nations system, and in particular that the United Nations Environment Programme should be strengthened and urgently receive increased financial support.

Drugs

The declaration stressed the urgent need for decisive action – both national and international – on the drug problem, which had reached 'devastating proportions'. It urged all countries, especially those where drug production, trading and consumption were at high levels, to join in efforts to counter production and reduce demand and also to resist trafficking and the 'laundering' of the proceeds.

Accordingly, the participants resolved to take a number of measures, to include: increased support for efforts to prevent drug cultivation; intensified exchange of information on the prevention of addiction; support for the international conference on cocaine and other drugs planned for 1990; and strengthened action to seize drug proceeds.

Political Co-operation

East-West Relations

In their discussions on East-West relations, summit participants welcomed reforms underway in Eastern Europe and called upon the Soviet Union to translate its new policies into further concrete action. Because military imbalances still continued to favour the Soviet Union in Europe and Asia, there was no alternative to maintaining a strategy of deterrence based on an appropriate mix of adequate and effective nuclear and conventional forces. They recommitted themselves to the urgent pursuit of a global ban on chemical weapons, a conventional forces balance within Europe at the lowest possible level consistent with security requirements and a substantial reduction in United States and Soviet strategic nuclear arms.

Noting reforms underway in Poland and Hungary, they recognised that these political changes would be difficult to sustain without economic progress. In order to sustain reform, assistance to these countries was needed in the form of inward investment, joint ventures, transfer of managerial skills, professional training and other ways of developing a more competitive economy. There was an urgent need for food in Poland, and the Commission of the European Community would take the necessary initiatives. The Summit also favoured the early conclusion of negotiations between Poland and the International Monetary Fund, and participants expressed willingness to support in the Paris Club the rescheduling of Polish debt expeditiously and in a flexible and forthcoming manner.

China and Hong Kong

The summit called upon the People's Republic of China to cease action against those who had done no more than claim their legitimate rights to democracy and liberty. On Hong Kong, the participants said that they understood and shared the grave concern felt by the people there following recent events (see pp 232-4); they called upon China to do what was necessary to restore confidence and they recognised that support from the international community would be an important element in the maintenance of confidence in Hong Kong.

Terrorism

Participant countries issued a strong condemnation of terrorism in all its forms and confirmed their commitment to the principle of making no concessions to terrorists or their sponsors. They reaffirmed their opposition to the taking of hostages and called

upon those holding hostages to release them immediately and unconditionally.

Condemning the attack on an aircraft over Scotland which had killed 270 people (see p 105), they also reiterated their determination to contribute to reinforcing internationally agreed measures for protection against aircraft hijacking and sabotage and agreed on the need for improved methods of detecting explosives, including an appropriate international regime for the marking of plastic and sheet explosives for detection.

Human Rights

The participants reaffirmed their commitment to freedom, democratic principles and human rights which were a matter of legitimate international concern. Rights and freedoms, including, for example, freedom of thought, opinion, expression and association, could not be properly safeguarded without the rule of law, impartial justice and genuine democratic institutions.

Industrial Disputes

The latest available statistics on industrial disputes in member countries of the Organisation for Economic Co-operation and Development (OECD) indicate that in 1987 Britain stood around the middle of the ranking of countries in terms of working days lost per 1,000 employees. Although there was a slight increase in the number of working days lost in Britain through industrial disputes in 1988, the level was substantially less than the average for 1978-87 and the number of disputes recorded was the lowest since 1935.

International Comparisons

Details of the most recent international comparisons are contained in an article in the June issue of the *Employment Gazette* (HMSO, £3·80, ISBN 0 11 728458 0). These show that over the ten-year period 1978-87 Britain was a little above the middle-ranked position: Table 1 shows the incidence of working days lost in industrial disputes per 1,000 employees. The countries showing the highest incidence of working days lost per employee in 1978-87 were Spain, Italy, Greece, Canada and the Irish Republic, while countries recording relatively few days lost per employee included Switzerland, Austria, Japan, the Netherlands and the Federal Republic of Germany. The statistics also show that in OECD countries there was a general downward trend in the incidence of working days lost.

During the five-year period 1983-87 Britain lost an annual average of 400 days per 1,000 employees in employment as a result of stoppages caused by industrial disputes, which represents about half a working day a year per employee. This compares with 540 days per 1,000 employees in employment for the period 1978-82. The British average for the period 1983-87 was influenced by one large dispute, that in the coalmining industry which occurred in 1984-85 (see pp 47-8 and 77-8, 1985). The incidence

Table 1

Industrial Disputes: Working Days Lost per 1,000 Employees in All Industries and Services 1978-87

				Average[a]		
	1985	1986	1987	1978-82	1983-87	1978-87
Britain	300	90	160	540	400	470
Australia	230	240	220	600	250	420
Austria	10	[b]	[b]	[b]	[b]	[b]
Belgium	na	na	na	(200)	na	na
Canada	310	680	370	820	440	620
Denmark	1,060	40	60	120	250	190
Finland	80	1,350	60	300	520	420
France	40	30	30	120	50	80
Federal Republic of Germany	[b]	[b]	[b]	40	50	50
Greece	620	710	970	950	590	760
Irish Republic	520	380	320	800	400	600
Italy	270	390	320	1,160	510	840
Japan	10	10	10	20	10	10
Netherlands	20	10	10	30	10	20
New Zealand	660	1,070	270	350	550	450
Norway	40	560	10	60	140	100
Portugal	100	140	40	(210)	120	(160)
Spain	440	300	630	1,110	560	850
Sweden	130	170	[b]	250	60	150
Switzerland	[b]	[b]	[b]	[b]	[b]	[b]
United States	70	120	40	200	100	150

[a] Annual averages for those years within each period for which data are available, weighted for employment. Brackets indicate averages based on incomplete data.
[b] Less than five days lost per 1,000 employees.
na = not available.

of working days lost in 1986-87 was at a much lower level.

The article says that considerable care should be taken when making detailed international comparisons because of the different coverage of each country's statistics. For example, one feature of industrial disputes is the tendency for the incidence of strikes to vary between industrial sectors, with some industries consistently having higher rates. The article includes a comparison based on the four main sectors of industry especially prone to disputes – mining and quarrying, manufacturing, construction, and transport and communications (see Table 2). This shows that the countries with the highest rates of working days lost in these industries were Canada, Italy, Spain and New Zealand. However, these industrial sectors experienced a general decrease in days lost between 1978-82 and 1983-87.

Disputes in Britain in 1988

Details of working days lost in Britain in 1988 were given in an article in the July issue of the *Employment Gazette* (HMSO, £3·80, ISBN 0 11 728459 9). The article says that, although the number of working days lost rose slightly in 1988, to 3·7 million (see Table 3), this was substantially less than the annual average of 10·3 million days lost during the period 1978-87 and equivalent to the loss of about one-sixth of a day for each employee in employment. Working days lost per 1,000 employees averaged 164 in 1988, virtually the same as in 1987.

There was a decline in the number of workers involved in stoppages from 887,000 in 1987 to 790,000 in 1988, which compares with an annual average of 1·45 million in the period 1978-87. The number of stoppages recorded as in progress also fell, from 1,016 in 1987 to 781, which represented the lowest figure for any year since 1935, although the article points out that the difficulties in ensuring complete recording of stoppages mean that comparisons over time have to be interpreted with caution (see below).

As in previous years, a relatively small number of stoppages accounted for a majority of working days lost. There were 45 prominent stoppages which involved the loss of 5,000 or more working days, and they accounted for 88 per cent of working days lost

Table 2

Industrial Disputes: Working Days Lost per 1,000 Employees in Selected Industries (Mining and Quarrying, Manufacturing, Construction, and Transport and Communications) 1978-87

				Average[a]		
	1985	1986	1987	1978-82	1983-87	1978-87
Britain	660	180	330	1,080	960	1,020
Australia	520	580	530	1,290	560	930
Austria	[b]	[b]	[b]	[b]	[b]	[b]
Belgium	na	na	na	(360)	na	na
Canada	580	1,170	780	1,670	820	1,250
Denmark	2,380	90	120	250	560	410
Finland	160	2,310	130	500	740	620
France	90	70	70	230	110	170
Federal Republic of Germany	[b]	[b]	[b]	80	110	90
Greece	na	na	na	(940)	na	(940)
Irish Republic	450	270	610	1,390	510	980
Italy	420	400	490	1,600	730	1,190
Japan	10	10	10	40	10	30
Netherlands	50	20	30	60	30	50
New Zealand	1,370	2,660	540	740	1,240	990
Norway	100	940	[b]	140	230	180
Portugal	190	230	70	(360)	230	(260)
Spain	300	440	860	(1,850)	600	(1,150)
Sweden	10	[b]	10	470	10	240
Switzerland	[b]	[b]	[b]	[b]	[b]	[b]
United States	140	370	100	(440)	270	(330)

[a] Annual averages for those years within each period for which data are available, weighted for employment. Brackets indicate averages based on incomplete data.
[b] Less than five days lost per 1,000 employees.
na = not available.

Table 3

Stoppages in Progress in Britain 1968-88

	1968	1973	1978	1983	1984	1985	1986	1987	1988
Working days lost (thousand)	4,690	7,197	9,405	3,754	27,135	6,402	1,920	3,546	3,702
Working days lost per 1,000 employees	207	317	413	178	1,278	298	89	162	164
Workers involved (thousand)	2,258	1,528	1,041	574	1,464	791	720	887	790
Number of stoppages	2,390	2,902	2,498	1,364	1,221	903	1,074	1,016	781

in 1988. Two disputes, in the postal services and in the shipbuilding industry, accounted for half the number of days lost. More than half the number of stoppages in progress in 1988 lasted no longer than two working days.

Stoppages over pay still accounted for the highest proportion of working days lost, but they represented 51 per cent of days lost as against 82 per cent in 1987. Disputes over manning and work allocation were responsible for 33 per cent of days lost, compared with 5 per cent in 1987, and redundancy for 7 per cent. In terms of the number of stoppages, disputes over pay accounted for 42 per cent, manning and work allocation issues 26 per cent, working conditions 11 per cent, and dismissal and other disciplinary measures 11 per cent.

Information about stoppages of work arising from industrial disputes is collected on a voluntary basis, through the Department of Employment's local unemployment benefit office network and other sources. The article says that there are difficulties in ensuring complete recording of stoppages, especially of short disputes or those involving only a few workers. Accordingly, stoppages involving fewer than ten workers and those lasting less than one day are excluded from the statistics, except where the aggregate number of working days lost exceeds 100. This limitation has much more effect on the estimate of the number of stoppages than on working days lost, and the latter is therefore considered a more comprehensive indicator as well as a better measure of the impact of industrial disputes.

Food Safety

Government proposals to strengthen Britain's food safety laws have been set out in a White Paper published on 27 July. They include tighter controls on unfit food and new enforcement measures, extended powers to cover new technical developments and the compulsory registration of commercial food premises.

Introducing the White Paper[1] in the House of Commons on 27 July (*Hansard*, Vol 157, No 152, cols 1187-98), the Minister of Agriculture, Fisheries and Food, Mr John Gummer, said that there was no conflict between food producers, who had a clear interest in the consumer's confidence, and the Government's determination to set the highest practicable standards of consumer protection, which 'must be comprehensive, independent, up to date, and properly explained'. Laws applying at every stage from production to consumption and advisory committees already existed, but legislation had to keep pace with 'rapid developments and changes in food technology, in the range of products marketed, and also in consumer preferences'. Local authorities would have an enhanced role in the enforcement of new rules and standards, and consumers had a part to play through their responsibilities in maintaining good kitchen hygiene and in cooking and storing food properly.

[1] *Food Safety – Protecting the Consumer.* Cm 732. Ministry of Agriculture, Fisheries and Food. HMSO, £6·90. ISBN 0 10 107322 4.

BACKGROUND

The White Paper points out that the variety and quality of food in Britain have never been better and that the Government is determined to encourage the widest availability of wholesome, attractive foods, while giving high priority to consumer safety. The food industry employs over 3 million people and contributes nearly 10 per cent of gross domestic product. The Government insists on stringent hygiene standards throughout the food chain from the primary producer to the home; controls the use of additives; lays down limits on chemical contaminants; aims to ensure that the danger to human health from microbiological contamination is kept to a minimum; and assesses new foods and processes to ensure their safety. European Community law is also being developed to improve safety standards.

Among recent government measures have been those against bovine spongiform encephalopathy (BSE; see pp 119 and 276), and those to deal with the international problem of salmonella in eggs (see pp 25-6, 119, 248 and 276). Britain is the first country in the world to advise consumers on storage and cooking methods (see pp 214 and 248), and on types of food which should be avoided, for example, to combat listeriosis (see p 276).

Current Food Legislation

In England and Wales the main provisions are those in the Food Act 1984. The equivalent provisions in Scotland and Northern Ireland are in the Food and Drugs (Scotland) Act 1956 and the Food and Drugs Act (Northern Ireland) 1958. These Acts make general provisions, applicable to all foods; enable detailed requirements to be imposed by regulation; and state that food should not be injurious to health, unfit for human consumption or falsely labelled, and should be of the nature, substance and quality demanded by the purchaser. It is an offence to sell food that does not comply with these requirements. Detailed regulations cover additives, contaminants, compositional standards (for flour, bread and sausages, for example), labelling and hygiene.

The Slaughterhouses Act 1974, the Slaughter of Animals (Scotland) Act 1980 and the Slaughterhouses Act (Northern Ireland) 1953 require all red meat slaughterhouses to be licensed. European Community export-approved slaughterhouses, which can supply meat to the Community as well as to national markets, are subject not only to licensing but also to further inspection and to structural requirements.

The Animal Health Act 1981, applicable to Great Britain, aims to prevent the introduction of disease through the importation of animals or animal products. It also provides for the designation of diseases as 'zoonoses' – which can be transmitted from animals to man.

The Food and Environment Protection Act 1985 (see p 81, 1985), applicable throughout Britain, provides emergency powers to protect consumers if there is an escape of substances which may con-

taminate food and provides powers to control the sale, supply, storage, use and advertisement of pesticides. The Pesticide (Maximum Residue Levels in Food) Regulations 1988 set maximum limits for pesticide residues in food.

The Medicines Act 1968 controls the manufacture, sale and supply of veterinary medicines, including those added to feed. A product is licensed only if it can be used without risk to the health of the eventual consumer of the animal or its products. Instructions on the label may specify the withdrawal period which should elapse between administration of the medicine and the slaughter of the animal for human consumption.

The Agriculture Act 1970 (as amended) provides statutory powers for implementation of European Community directives on feedingstuffs standards. It is an offence for a feed to be sold which is deleterious to animals or human beings who consume the animal product.

The Materials and Articles in Contact with Food Regulations 1987 aim to ensure that food packaging materials and other articles which come into contact with food do not, under normal conditions, transfer any of their constituents to the food to the extent that human health or food quality might be threatened.

European Community Legislation

The directive on Inspection of Foodstuffs aims to harmonise the general principles of food inspection within the Community and is a first step towards uniform levels of enforcement. It is expected that it will make detailed changes, including:

1 the emphasis of inspection in Britain towards in-factory enforcement, particularly in the additives and labelling areas;

2 the need to check food destined for other Community members; and

3 an inspection programme, which would co-ordinate the action of local authorities, at present acting independently.

Other directives in preparation concern food labelling, additives, foods for particular nutritional uses, and materials and articles in contact with food. The Commission is also proposing a directive on hygiene.

CONSUMER PROTECTION

Food safety, the White Paper says, is maintained in Britain by an extensive range of legislative and administrative provisions. Controls apply at every stage in the food production, import and distribution chain up to the point of sale. The Government is spending over £8 million a year on research, and 355 government-funded food research projects are in progress in laboratories of the Ministry of Agriculture, Fisheries and Food, and of institutes such as the Institute of Food Research. The programme includes new work on salmonella in poultry and £4·5 million being spent over five years on studies into the growth of micro-organisms in food systems. Among the responsibilities of the Public Health Laboratory Service, funded by the Department of Health, are the diagnosis, treatment, prevention and control of food-borne illness.

Among the committees which advise the Government on food safety, some, such as the Veterinary Products Committee and the Advisory Committee on Pesticides, have statutory roles. Others may be formed when new developments create the need for additional expertise: for example, the committee to advise on the microbiological safety of food.

Raw Materials Supplied to Producers

Animal Feedingstuffs

Among measures to deal with salmonella the Government has doubled the rate of inspections of protein processing plants and introduced an Order requiring businesses processing animal protein to be registered. All processors must submit samples of each day's production for bacteriological testing. It is an offence to incorporate processed protein in animal foods, or to allow it to leave the plant if testing reveals the presence of salmonella. All imported protein of fish and animal origin is subject to licensing controls, which have recently been made more rigorous in view of the risks from microbiological contamination. Imports from countries with a poor record of salmonella-contaminated exports are subject to particularly stringent controls.

Veterinary Medicines

All veterinary medicines intended for use in Britain are subject to independent, scientific assessment by the Veterinary Products Committee, and are licensed to ensure that they will not contaminate food.

Pesticides

All pesticides intended for use in Britain are subject to assessment by the Advisory Committee on Pesticides and may be approved only if they can be used without endangering human health. Diet studies show that estimated average intakes of pesticide residues are well below acceptable daily intakes set by United Nations bodies – usually by a factor of 100 and often by a factor of 1,000. Approvals may be revoked or amended to protect human health. Two recently reviewed have been aldrin and daminozide (Alar). The former has been withdrawn and the Committee advised that on present evidence the use of Alar did not pose a hazard to human health.

Controls on Primary Producers

Application of Pesticides and Veterinary Medicines

The supply of pesticides and veterinary medicines, and the range of crops and animals on which they should be used, are restricted. Statutory conditions may impose minimum withdrawal periods between treatment and harvest or limit the number of treatments a particular crop may receive.

Regular surveys of pesticide and other contaminant residues in foods have shown a satisfactory degree of safety, although a potential problem with some veterinary medicines has been detected. The Government therefore proposes to extend the existing controls on contaminants to all potential residues and to extend enforcements on farms.

Health of Livestock

Cattle are regularly tested for tuberculosis, and reactor and contact animals are compulsorily slaughtered. Together with the pasteurisation of milk, this has markedly reduced the disease among humans – only five cases were contracted in Britain in 1983-85. The government response to the international problem of salmonella is among the most comprehensive in the world (see pp 25-6). As a further precaution against BSE, relevant kinds of offal from all cattle will be banned from human consumption.

The Food Industry

Primary Processors

Slaughterhouses must be licensed after inspection by local authority officers in Great Britain and by Department of Agriculture officers in Northern Ireland. Over 40,000 carcases a year are tested for residues of hormones, antibiotics and other substances. The Government has made proposals with regard to untreated milk (see p 276) and will take powers to bring the milk of sheep and goats within the scope of the pasteurisation regulations.

Manufacturing

Maintenance of hygiene standards is a fundamental requirement of food law. Manufacturers apply their own quality and hygiene controls designed to ensure that they comply with the law. Environmental health officers have power to inspect food premises without prior notice. The use of additives in food is strictly controlled and the incidence of contaminants is monitored and controlled. Statutory limits for lead in food have applied since 1961. In 1954 the daily intake by a normal individual was estimated at about 0·4 mg; in 1975 at 0·2 mg; and the latest estimates put the figure at no more than 0·06 mg.

Wholesaling and Distribution

Government surveillance and research have identified ways of reducing food contamination caused by packaging components; for example, the use of solder-free welded cans to eliminate lead contamination. Labelling must be accurate and informative, and must give lists of ingredients and additives. Most pre-packed foods carry a 'best before' date, until which the food should remain in good condition if properly stored. An alternative system of 'sell by' dates, accompanied by storage instructions, operates for food with an estimated shelf life of six weeks or less. By the end of 1992 this system will be phased out. For highly perishable foods, 'use by' dates will be introduced instead of the 'best before' systems. Imported foods are subject to inspection and seizure if unfit for human consumption. Imported eggs are systematically sampled for salmonella.

Retailing

It is an offence to sell food which is injurious to health, unfit or falsely labelled, or which is not of the nature, substance and quality demanded. The Government intends to amend the Food Hygiene Regulations to control commercial storage temperatures so that the risk of listeriosis may be lessened. It is also considering the possibility of banning the sale of cracked, ungraded eggs as a measure against salmonella. Legislation is proposed to strengthen the law against the malicious contamination of food.

The Government has recently published new guidelines on cook-chill and cook-freeze systems for the catering industry as a further safeguard against contamination by the listeria monocytogenes organism.

Monitoring and Surveillance

Continuous monitoring programmes maintain surveillance over the nutritional value and safety of the food supply. Surveillance of possible chemical and radioactive hazards is overseen by the Steering Group on Food Surveillance, which between 1984 and 1988 appointed two working parties on organic environmental contaminants and radionucleides in food. Monitoring of hygiene for microbiological hazards takes place at many points during production and distribution, with responsibility for providing safe food placed on producer, manufacturer and retailer. Local authorities, the Public Health Laboratory Service (with 52 regional public health laboratories) and the Department of Health monitor the incidence of food-borne diseases in humans. Investigations into gastro-intestinal outbreaks are co-ordinated at the Communicable Disease Surveillance Centre of the Public Health Laboratory Service. The rapid identification in June of hazelnut purée as the source of a recent outbreak of botulism illustrates the effectiveness of this system.

Enforcement

Enforcement of those parts of the Food Acts concerned with unfit food and hygiene, and the Food Hygiene Regulations (applying to catering and retail outlets, food manufacturing establishments and dairies), is carried out by environmental health officers of the local authorities in Great Britain, who have powers of immediate seizure when they suspect that food offered for sale is likely to cause poisoning. Other regulations are enforced in respect of markets, stalls, delivery vehicles, docks, wharves and warehouses. Environmental health officers (employed as port health inspectors) also inspect ships carrying food imports in British ports and have responsibilities for enforcing hygiene regulations in slaughterhouses and in food processing dairies. Dairy farms are inspected by Ministry of Agriculture, Fisheries and Food dairy husbandry officers in England and Wales and by environmental health officers in Scotland.

The laws on food additives and non-microbial contaminants, food processes, labelling and other provisions against fraud are enforced by local authority trading standards officers. The provisions of Part III of the Food and Environment Protection Act 1985 concerning the safe storage, sale and use of pesticides are enforced by the Health and Safety Executive. The Ministry of Agriculture, Fisheries and Food enforces maximum residue limits.

PROPOSED NEW LEGISLATION

While the existing legislation remains essential to the Government's principal objectives of food safety

and consumer protection, new legislation to be introduced would reinforce present provisions and enable the Government to respond to developments. The Bill to be introduced would apply to Great Britain. In accordance with normal practice in the field of transferred legislation, comparable provision would be made for Northern Ireland.

Provisions

The aims of the legislation would be:

1 to ensure that food produced for sale is safe and not misleadingly labelled or presented, particularly taking account of modern food technology and distribution;

2 to reinforce present powers and penalties;

3 to ensure that new European Community directives on food can be implemented; and

4 to simplify and streamline the legislation, by combining the Acts which apply in England and Wales and in Scotland.

Tighter controls on unfit food would apply to possession for sale as well as sale itself. New enforcement measures would extend to food processing factories, and enforcement officers would be able to condemn whole batches of food. Registration of food premises would enable local authorities to identify premises more readily and serve notices on them where deficiences need to be rectified, with powers to have them closed down more quickly than at present. There would be enhanced powers to control contaminants and residues, such as veterinary drug residues in meat. Ministers would also be enabled to make emergency control orders to deal with potentially serious problems. To strike the right balance between the interests of consumers, manufacturers. retailers and importers, the Government intends to introduce changes in legal defences which can be used by defendants, including one which would specify certain circumstances where retailers and others buying food would be deemed to have shown due diligence. The Government also intends to make provision for training in food hygiene for all those who handle food commercially.

Technological Developments

The Government would also take extended powers to adapt the law to meet technological developments. New provisions would control novel foods, such as those produced by genetic manipulation, and new processes, such as irradiation (see pp 275-6).

British Civil Engineering Overseas

Civil engineering contracts awarded to British firms overseas during 1988 were provisionally valued at just over £2,300 million, compared with a revised total for 1987 of some £3,300 million, which now includes work-in-hand taken on by British firms acquiring overseas companies.

The figures for British civil engineering contracts overseas during 1988 and details of some major projects were set out in the 28 July issue of *British Business*. Details of some of the largest projects are given below.

Value of Overseas Work 1988

The article says that the drop in value of contracts obtained during 1988 may be attributed to a reduction in the volume of acquisitions and in the value of new contracts and to a general decline in the market. By contrast, the value of work completed during 1988 rose to just under £2,000 million, higher than the revised total for 1987 of £1,900 million. About 90 per cent of work done was accounted for by ten British companies. The value of work outstanding at the end of 1988 rose to nearly £3,900 million, compared with a revised figure of £3,500 million for 1987 (see table). Much of this work is concentrated in those developed countries where acquisitions have occurred, but traditional markets for British firms in Asia and Africa are still providing business.

Construction Work Overseas

£ million

Area	Value of contracts obtained		Value of work done		Value of work outstanding	
	1987	1988	1987	1988	1987	1988
European Community	815	272	135	72	742	926
Rest of Europe	91	57	32	42	68	83
Middle East in Asia	115	140	244	128	113	118
Middle East in Africa	10	13	55	64	131	77
Hong Kong	119	18	66	74	122	65
Rest of Asia	72	97	116	60	139	173
Rest of Africa	158	133	199	152	187	157
The Americas	1,334	1,493	808	1,295	1,521	1,709
Oceania	630	91	248	105	485	558
All countries	3,345	2,314	1,904	1,992	3,508	3,866

Note: Some of the 1987 figures have been substantially revised, and the 1988 figures are provisional. Differences between totals and the sums of their component parts are due to rounding.

The Americas

New contracts in the Americas amounted to about two-thirds of the 1988 total. Taylor Woodrow Construction has been awarded a number of building projects in the United States and Canada, the largest of which is a £36 million contract to build an airport passenger terminal in Irvine, California. The British firm Barratt American is constructing a £200 million housing development jointly with a United States firm on a 170 hectare (420 acre) site at Mission Viejo, California. Some 1,500 apartments, terraced and detached homes will be built over a four-year period. Kier International's subsidiary Tidewater Construction, working jointly with the firm Peter Kiewit of Nebraska, has started construction of the Berkley Bridge in Norfolk, Virginia. The main elements of the contract, worth £42 million, are the building of a 710 m (2,330 ft) bridge over the Elizabeth River; reconstruction of a span bridge nearby; and construction of a complex interchange east of the bridges in Norfolk.

Balfour Beatty's Canadian subsidiary has been awarded a contract valued at £28 million for the design and construction of improvements and expansion work to harbours in the Bahamas, where it already has substantial work in progress. The project will involve the deepening of Nassau harbour; the provision of four additional cruise liner berths; and construction of new foreshore promenades and plazas and of improved Port Authority headquarters – all of which will permit Nassau harbour to accommodate the world's largest cruise ships. The contract also includes improvements to berthing facilities elsewhere on the islands.

Europe

McInerney Properties has begun work, jointly with Hoteles Coach, on a £100 million timeshare development in Marbella, Spain. The firm will use local contractors supervised by its own managers to complete a project divided into three phases, which will finally provide about 450 apartments and leisure facilities. The firms Wimpey and Tarmac, together with their local partners Enka, Eska and Kajima, are building 8 km (5 miles) of highway to run between Besiktas and Samatya in Turkey. The project, valued at £140 million, is being backed by the British and Japanese Governments.

Asia

Bovis (Far East) of Hong Kong is building a 23-storey, 400-room hotel in Dhaka, Bangladesh. The hotel, scheduled for completion by early 1991, will contain a convention centre, swimming pool, a banqueting hall and shopping facilities. The project is valued at over £29 million. Land & Marine Engineering, part of the Costain Group, is to build a liquid fuel by-product export terminal at Hazira on India's west coast. The project includes a survey; engineering design and procurement; and installation and commissioning of the terminal. In Oman, Wimpey Alawi and Al Wimpey Roads and Construction (Abu Dhabi) have won contracts valued at £24 million to build, among other things, accommodation for a military complex, roads, bridges and extended port facilities.

Gammon Construction, owned jointly by Trafalgar House and Jardine Matheson, will build the £150 million Tate Cairn road tunnel in Hong Kong, in a venture involving the Japanese firm Nishinatsu. The tunnel, some 4 km (2·3 miles) long, will link the new town of Sha Tin in the New Territories with urban Kowloon and relieve peak-hour congestion in the existing Lion Rock tunnel.

Africa

A major water supply project, begun eight years ago but halted due to financing difficulties, has been resumed by Biwater Projects in Nigeria. When complete, the £32 million scheme will provide piped, treated water to 146 towns and villages in Niger state. Water will be tapped from underground sources in each location, as well as from rivers and reservoirs.

Electricity Act 1989

The Electricity Act received the Royal Assent on 27 July. Various amendments were made during its passage through Parliament, the most important of which are listed below.

The Government has decided that the Magnox nuclear power stations will not be included in the electricity privatisation.

The Act, which transfers to new companies the assets and functions of the electricity supply industry in Great Britain and provides powers for the protection of electricity consumers, had its second reading in the House of Commons in December 1988 (see pp 16-19).[1] Most of its provisions are substantially the same as then.

Energy Efficiency

Details are given as to how the Director General of Electricity Supply will carry out his duties to promote energy efficiency. Each public electricity supplier will have a duty to set performance standards for the promotion of energy efficiency, will monitor performance and ensure that the standards are met. Two revised conditions to the licence bind the supplier to meet the standards set by the Director General and provide instructions, including a code of practice, on how the supplier will make information available to the customer.

Consumers' Committees

A National Consumers' Consultative Committee will be set up, of which the Director General will be chairman and the chairmen of the regional consumers' committees the ordinary members. The Committee will meet at least four times a year and will keep under review matters affecting the interests of electricity consumers generally. It will also facilitate the exchange of information relating to such matters between the Director General, the ordinary members and their respective consumers' committees.

[1]This article has been offprinted as COI reference paper No 325/89, *Privatisation of the Electricity Supply Industry: Legislative Proposals.*

The Director General will not be subject to criteria when making appointments to these committees, thus, in the opinion of the Government, helping to ensure that the best people are appointed from whatever background.

Promotion of New Techniques

The Secretary of State for Energy and the Director General are required to take research and development into account when exercising their functions under Part I of the Act. The Secretary of State has a duty to use his powers to support long-term research and development of new techniques relating to the generation, transmission or supply of electricity as appears necessary in the public interest. He will also be enabled to obtain in confidence information from licensees about their research and development programmes.

The Environment

Licence holders and generators and suppliers exempt from holding licences must do what they reasonably can to mitigate the effects which their proposed developments will have on the environment. They are also required, in consultation with specified environmental bodies, to prepare statements setting out how they will perform their environmental duties. Both the Secretary of State and the Director General must have regard to the effect on the physical environment of activities connected with the transmission, generation or supply of electricity.

Combined Heat and Power

Combined heat and power (see p 172, 1980) operators are given statutory undertaker powers comparable with other forms of electricity generation and will have the same access to the grid system.

Secretary of State's Statement

In the House of Commons on 24 July (*Hansard*, Vol 157, No 149, cols 744-5), the then Secretary of State for Energy, Mr Cecil Parkinson, announced that the Magnox nuclear power stations [eight in England and one in Scotland; see pp 65-7, 1987] would be withdrawn from the electricity privatisation programme and would remain under government control. It had become clear, he said, that the cost of reprocessing and the waste treatment of spent nuclear fuel would be higher than had been charged in electricity prices and provided for in the accounts of the Central Electricity Generating Board and the South of Scotland Electricity Board. The Magnox stations were drawing to the end of their lives and one had already been closed. Most of these costs, therefore, related to the past, and it would not be right to burden future customers with such costs. New nuclear-generating companies should be relieved of the problems of the past.

The advanced gas-cooled reactors, Mr Parkinson said, which had many years of operation ahead of them, would be assigned to National Power and to the Scottish nuclear company; and National Power would continue with the construction of Sizewell B and would build and operate, subject to planning and other consents, three more pressurised water reactors.

'No changes to the Electricity Bill are needed to bring the Government's decisions into effect', the Secretary of State continued. The Government would lay a draft Order before Parliament during the autumn to increase the limit on the amounts payable under schedule 12 [of the Act; which deals with government financial assistance for nuclear liabilities] from the interim level of £1,000 million to £2,500 million.

Water Act 1989

The Water Act 1989, which has been given the Royal Assent, is an important stage in the Government's programme to strengthen and protect the water environment and prepare for the sale of the utility functions of the water authorities in England and Wales.

The Government proposes to provide over £1,000 million for the water authorities in England and to write off over £4,000 million of debt.

The Water Act became law on 6 July. Most of its provisions are substantially the same as when the Bill was given its second reading in the House of Commons in December 1988 (see pp 20-4). During its passage through Parliament, however, various amendments were made. The most important are listed below.

Nitrate Sensitive Areas

Powers are now provided under Part III of the Act for the establishment of nitrate sensitive areas, where controls could be introduced over agricultural activity in order to reduce the amount of nitrate leaching from agricultural land into water sources.

Water Industry Land

The successor limited companies appointed under the Act will be able to dispose of their land and interests in that land only with the consent of, or in accordance with a general authorisation given by, the appropriate Secretary of State. (The water authorities have extensive landholdings – some 175,000 hectares [430,000 acres] – the majority of which, called protected land, lie in national parks, areas of outstanding natural beauty and sites of special scientific interest [SSSIs].) If disposals of protected land are envisaged, the Secretary of State may impose a range of special conditions: for example, that the land be offered in the first instance to a conservation body approved by the Countryside Commission or, in the case of SSSIs, by the Nature Conservancy Council; that management agreements, to apply indefinitely, be entered into with the relevant park or local authority; and that covenants, also to apply indefinitely, be drawn up for the protection of the landscape.

The Act also provides that proceeds from the sale of water companies' surplus land (in urban areas, for example, and not categorised as protected) should be shared with the customers.

Resale of Services

The Director General of Water Services will be enabled to fix maximum prices for the sale of water and sewerage services provided by water companies through landlords to tenants.

Charges for New Infrastructure

From 1 April 1990 a fairer system is being introduced, by which developers will bear more of the cost of providing new infrastructure, such as reservoirs, trunk mains and water and sewage treatment works, needed to serve newly connected properties. The new charges will ensure that householders will not have to subsidise new developments.

Minister's Statement

On 2 August Mr Michael Howard, Minister of State at the Department of the Environment, announced that the Government proposed to provide the nine water authorities in England with £1,024 million and to write off £4,400 million of debt. This would put their successor companies in a position to fund major capital investment – some £17,300 million (at 1987-88 prices) over the next ten years. They would also be able to keep price rises down while earning a reasonable return on this investment.

Mr Howard stressed that during this period the water and sewerage businesses would be carrying out the biggest investment programme in their history. This would enable them to renew sewers and sewage treatment works, to reduce river pollution, to improve drinking water and to clean up beaches – including steps necessary to secure compliance with European Community directives. The water industry would be able to plan ahead in the knowledge that it would be free to seek the resources it needed in the private sector.

There would be minimum cost to the consumers, the Minister said, because essential investment would not have to be financed entirely through charges. Consumers would have to contribute, but 'ceilings on price increases . . . can be held down to an average amount of just under 5 per cent a year above inflation for the next five years, and an average increase of some 3·7 per cent a year for the second five years. Provision exists for a review of these ceilings by the independent Director General of Water Services should circumstances change.'

Shorter Notes

INWARD INVESTMENT

The Invest in Britain Bureau of the Department of Trade and Industry published its annual report on 18 July, which records that foreign firms announced 330 direct investment projects into Britain during 1988. It is estimated that these projects will create more than 26,500 jobs and safeguard more than 18,000 existing jobs, representing, in total, an increase of 21 per cent over 1987. Britain attracted over one-third of all United States and Japanese investment into the European Community during 1988, United States companies accounting for 123 investment decisions. Firms from the Federal Republic of Germany, with 70 investment decisions, represented the largest source of European investment.

The Invest in Britain Bureau undertakes publicity abroad and responds to inquiries from potential inward investors in collaboration with the three territorial agencies representing Scotland, Wales and Northern Ireland, and the various regional organisations and local representative bodies in England. Speaking in the House of Commons on 18 July, the then Minister for Trade and Industry, Mr Tony Newton, said that a new unit would be set up within the Department of Trade and Industry to co-ordinate publicity for attracting inward investment into England and to encourage greater co-operation between the English regional organisations. The Government would increase the resources available to the Bureau to enable it to respond to increasing demand.

A major inward investment decision was announced on 13 July by the then Secretary of State for Trade and Industry, Lord Young, when he told the House of Lords that the Japanese motor manufacturing firm Honda planned to extend its existing facility at Swindon, Wiltshire, to the full manufacture of cars for the European market. The new plant would commence operations at the end of 1991 with a limited volume of Honda vehicles, which would be in direct substitution for imports from Japan. The project would require investment of about £300 million and would add 1,300 jobs to the existing workforce at the Swindon site. Output of vehicles was scheduled to rise to 100,000 cars a year by 1994.

Lord Young said that these plans coincided with an agreement between Honda and British Aerospace's motor manufacturing subsidiary Rover, by which Honda and Rover would exchange significant minority cross-shareholdings, resulting in important commercial benefits for both companies. He said that the announcement amounted to a further step in the renaissance of the British motor industry.

Sources: *Invest in Britain Bureau Annual Report 1988.* Department of Trade and Industry. Available free from the Invest in Britain Bureau, Kingsgate House, 66-74 Victoria Street, London SW1E 6SW; *Hansard,* Vol 157, No 146, written answers, cols 126-7; *Hansard (HL),* Vol 510, No 119, cols 427-8.

LOCAL GOVERNMENT FINANCE

The Government has announced the 1990-91 local authority grant settlements. The new system of local government finance will take effect in England and Wales in April 1990 (see pp 17-18, 1988), having come into being in Scotland in April. Under the new system, the community charge replaces domestic rates, and there is a uniform national business rate and a new system of grants from central government. The announcements concerned the Government's proposals for aggregate external finance – the amount of support that would be available to

local authorities from government grants and the business rate – and the Government's assessment of total standard spending and the level of community charge appropriate to such spending.

Making the announcement for England in the House of Commons on 19 July (*Hansard*, Vol 157, No 146, cols 343-6), the then Secretary of State for the Environment, Mr Nicholas Ridley, said that total standard spending (the amount appropriate for authorities to spend in providing services) was assessed at £32,800 million. Aggregate external finance would be £23,100 million. (An announcement would be made in the autumn on the allocation of this amount between grants and the business rate.) Just under £10,000 million would, therefore, need to be raised from the community charge. This corresponded to a charge per head of about £275. This figure was the level of charge which, disregarding the safety net, would be appropriate to the level of standard spending. The actual charge in the first year would depend on transitional arrangements and the level of local authority spending. There would be a safety net for a transitional period of four years to allow the new system to be phased in. The aim was to give people living in areas that traditionally had low rates time to adjust to the greater demands now being made on them.

The Secretary of State for Wales, Mr Peter Walker, made the announcement for Wales in the House of Commons on 20 July (*Hansard*, Vol 157, No 147, cols 535-6). Standard spending was assessed at £2,109 million. Aggregate external finance would be £1,733 million. The community charge per head appropriate to standard spending would be £175. As in England, there would be a transitional safety net.

The Secretary of State for Scotland, Mr Malcolm Rifkind, said in the House of Commons on 26 July (*Hansard*, Vol 157, No 151, cols 1,019-21) that aggregate Exchequer grant in Scotland would be £2,739 million. Taken together with the proceeds of the business rate, this should enable local authorities that controlled their spending to set the community charge at an average level not significantly higher than in 1989-90.

NATIONAL MEASUREMENT SYSTEM

A White Paper, entitled *Measuring up to the Competition* and published on 6 July, reaffirms the Government's commitment to the National Measurement System (NMS), which it sees as essential in creating the right climate for business. The White Paper stresses that reliable measurement helps customers to buy goods with confidence and enables companies to compete for business in Britain and overseas on a fair basis and to improve the quality of products. The existence of a comprehensive measurement system, it says, is a precondition of a modern industrialised economy. The NMS is clearly linked to three areas of concern to the Government: the facilitation of free and open trade; the encouragement of innovation and the spread of new technology; and the promotion of quality.

The Government intends to strengthen its commitment to this policy through continued support for the NMS, on which it spent £26 million in the year ended 31 March 1989. The NMS has two central objectives: to enable individuals and organisations in Britain to make measurements competently and accurately in a demonstrably valid way; and to co-ordinate Britain's measurement system with those of other countries. The White Paper stresses that there is scope for greater private sector involvement, through the provision of advice to the Department of Trade and Industry on the NMS, through competitive tendering for work on national measurement standards and through collaborative projects on industrial measurement.

With the approach of the single European market in 1992 (see p 49), the measurement infrastructure throughout the European Community has increasing importance. The pan-European initiative known as EUROMET brings together measurement bodies from individual countries, promoting the co-ordination of more efficient and optimally utilised metrological activities and services. The Government believes that national laboratory accreditation schemes, such as the National Physical Laboratory's National Measurement Accreditation Service (NAMAS), help to ensure uniform levels of laboratory competence across Europe without imposing burdens on industry. Some 700 laboratories in Britain are accredited by NAMAS, and the Government intends to promote the scheme and extend its scope. Mutually acceptable testing and calibration arrangements between member states of the European Community will be essential to the successful completion of the single European market.

The Government intends to take a special initiative through the Laboratory of the Government Chemist to improve the validity of analytical chemical measurement, about which there has been some international disagreement in the past, leading to wasted effort and money and to a possible loss of trade in the future.

Source: *Measuring up to the Competition.* Cm 728. Department of Trade and Industry. HMSO, £4·20. ISBN 0 10 107282 1.

NORTH EAST SHIPBUILDERS

A statement about the disposal of North East Shipbuilders Ltd, at Sunderland, Tyne and Wear – the closure of which had been announced in December 1988 (see p 436, 1988) – was made in the House of Commons on 13 July by the then Minister of Trade and Industry, Mr Tony Newton. He said that none of the four shipbuilding bids which had been received could be expected to produce as much future employment for the area as would the creation of an enterprise zone and allied measures. Accordingly, the Government had asked British Shipbuilders, in consultation with the Tyne and Wear Development Corporation, to negotiate with the existing bidders on future non-shipbuilding uses for North East Shipbuilders' assets. The establishment of an enterprise zone, in which considerable interest had already

been expressed, would be pursued with all possible vigour.

Source: *Hansard*, Vol 156, No 142, cols 1,148-9.

OFFSHORE SAFETY

The Government has proposed new measures aimed at ensuring safer working practices for offshore oil and gas workers. Key points in the proposals are:

1 the extension of those areas of work on offshore installations which must be covered by a formal written work permit system, used to control all work activities which are potentially hazardous;

2 responsibility for the co-ordination and control of the work permit system to be that of one person who must ensure that hazardous work is properly planned and performed;

3 appropriate training for all personnel operating work permit procedures;

4 effective cross-referencing of permits;

5 suspension of all other work, which, if undertaken concurrently, would adversely affect safety;

6 effective means to ensure that procedures are not impaired by shift handovers.

The then Secretary of State for Energy, Mr Cecil Parkinson, announced in the House of Commons on 19 June new regulations (under the Mineral Workings [Offshore Installations] Act 1971) requiring emergency shutdown valves (see p 320, 1988) to be fitted on pipeline risers serving offshore installations, together with periodic inspection and testing of the valves and their control systems. Further regulations to deal with sub-sea isolation systems would be laid before Parliament in due course.

Sources: Department of Energy press notice, 12.7.89. *Work Permit Procedures on Offshore Installations.* Available free from Department of Energy, Thames House South, Millbank, London SW1P 4QJ. *Hansard,* Vol 155, No 124, written answers, col 11.

SUPPLY OF BEER

The Government has announced its response to the Monopolies and Mergers Commission (MMC) report on the supply of beer in Britain. The report found that a monopoly in the supply of beer operated against the public interest in Britain, and made recommendations which would have the effect of significantly altering product distribution by brewers and their ownership of licensed premises (see p 159).

Speaking in the House of Lords on 10 July, the then Secretary of State for Trade and Industry, Lord Young, said that the Government proposed to act in several areas on the strength of the Commission's recommendations. It wished to enhance competition in the supply of non-alcoholic and low alcohol beers, of soft drinks, ciders, wines and spirits by allowing tenants of public houses to purchase such products from any source, free of the present constraint to buy from brewers to which they are tied. Brewers would also be obliged to supply beer to the wholesale trade at prices no higher than those in the published list. Lord Young affirmed that the recommendation that tenants should be allowed to offer 'guest beers' would apply only to the national brewers, but that the issue of who should be allowed to supply the public houses of these brewers was unresolved.

Lord Young confirmed that changes to the Landlord and Tenant Act 1954 would be brought forward to give public house tenants the same protection as other business tenants. These changes would apply to all tenancies which had three or more years to run. Tenants without a fixed term would fall within the scope of the Act in three years' time, or from the first rent review after the legislation took effect, whichever occurred first.

The MMC report had recommended that no new loan ties – whereby loans were made at favourable rates to publicans in exchange for exclusive or semi-exclusive sale of brewers' products – be permitted. Lord Young said that he had been persuaded, however, that loan ties could assist competition in the right circumstances, providing a valuable means of finance for new public houses and for clubs. New loan ties would therefore not be prohibited, but would be subject to certain conditions which would ensure that they were not used anti-competitively. It would have to be possible for loan ties to be terminated at no more than three months' notice without penalty, and loans from the national brewers would have to be confined to beer.

The Commission's report had recommended that no brewer should be allowed to own more than 2,000 establishments licensed for on-premises sales. Lord Young said that it had been decided to require all brewers owning more than 2,000 on-licensed premises to release from ties one-half of the premises above that number. These would have to be leased free of ties to a company's products. Their premises having become free houses, publicans could avail themselves of the new form of tied loan from the owning brewers. These measures would increase the number of free houses from the present level of about 15,000 to 26,000, representing a major freeing of the market without requiring compulsory divestments.

Lord Young noted that the Commission's report had made no recommendations concerning the present system of licensing premises. Although it was no part of the Government's policy to seek an increase in the number of licensed premises, the present system might tend to fortify local monopolies by refusing to grant new licences. This matter required further examination.

The changes which had been announced would take time to implement, and Lord Young said that two years would be allowed to achieve the modification of tenancy agreements or the separation of a business into a free and tied estate. At the end of a third year, the effect of the measures would be reviewed by the Director General of Fair Trading. Lord Young said that while he had been considering

the MMC report, he had been in close touch with the European Commission, which was conducting its own review of competition in the brewing sector of the European Community.

Source: *Hansard (HL)*, Vol 510, No 116, cols 7-11.

TOURISM

The results of a review of the promotion of British tourism overseas and the promotion and development of tourism in England (see pp 277-8, 1988) were announced by the Secretary of State for Employment, Mr Norman Fowler, in the House of Commons on 6 July. Mr Fowler said that he had concluded that the present organisation needed to be simplified and that government financial support for the promotion of tourism should continue, but be more sharply focused. Accordingly, Mr Fowler said that he intended to work more closely in future with the chairman and members of the British Tourist Authority (BTA) and the English Tourist Board (ETB) and with the chairmen of the regional tourist boards in England to improve cost-effectiveness and to extend partnerships with the industry. The BTA would be asked to devolve greater authority to its overseas regions, to work even more closely with industry in overseas markets and to transfer some of its operations to the private sector.

The ETB would be expected to devolve many of its activities and to allocate more of its funding to the regional tourist boards, directing such funding to regions where the support was most needed by the private sector. The intention was to allow regional boards scope to increase their marketing activities and their encouragement of local tourism. The boards would be expected to use their funding to stimulate further private sector participation and the ETB would be directed to move some of its activities into the private sector. Both the BTA and the ETB would be able to scale down substantially their centralised operations as a result of the changes announced.

Mr Fowler noted that in January he had announced the suspension of financial assistance to tourism projects in England under the section 4 scheme, pending the outcome of the review. In the latter half of 1988 some £2,500 million of tourism investments were completed or in progress in England. As the industry did not depend on the scheme for its future prosperity and growth, no further offers of assistance would be made.

Following a review commissioned in October 1988, the Government's plans for the development of tourism in Northern Ireland were announced on 29 June. The then Parliamentary Under-Secretary of State for Northern Ireland, Mr Peter Viggers, said that the proposals, published as *Tourism in Northern Ireland: A View to the Future*, provided for the creation of a Northern Ireland Tourism Development Organisation which would combine the promotional role of the existing Northern Ireland Tourist Board and the grant-aiding functions of the Department of Economic Development.

Mr Viggers said that the tourism review had involved extensive consultation with the tourism industry in Northern Ireland. The potential for growth in the tourism industry was great, but the problem of Northern Ireland's adverse image needed to be addressed. Most visitors to the Province – who numbered 930,000 in 1988 – were on business or visiting friends or family, but there were comparatively few holiday tourists. The expansion of that area was crucial.

A strategy in three phases would be introduced to build and promote a vigorous tourism industry in the Province. The first phase would involve changes in the packaging and marketing of the area's attractions to tourists, in order to stimulate demand. The second phase would aim at the co-ordinated development of the industry through improved access, accommodation and amenities. The final phase would concentrate on the identification of particular tourism attractions in Northern Ireland as centres of international excellence, in fields such as water sports, heritage and culture, and cuisine.

Mr Viggers said that the Government hoped to see an increase of 70 per cent in the number of tourists visiting Northern Ireland over the next five years. To this end, the overall objective of public sector intervention would be to stimulate private sector enterprise and self-sustaining growth across the entire tourism industry. Existing grant schemes would be replaced by a single scheme of selective financial assistance, largely in the form of loans, which would use criteria similar to those applied to manufacturing industries seeking assistance. Legislation to implement the proposed changes would follow in due course.

Sources: *Hansard*, Vol 156, No 138, written answers, col 278; *Hansard*, Vol 155, No 132, written answers, cols 499-500; Northern Ireland Office press notice, 29.6.89; *Tourism in Northern Ireland: A View to the Future*. Department of Economic Development for Northern Ireland. Available free from the Tourism Branch, Department of Economic Development for Northern Ireland, Netherleigh, Massey Avenue, Belfast BT4 2JP.

DESIGN MUSEUM

A new museum was opened in London on 6 July, devoted to the exhibition of consumer goods designed for everyday use, and the promotion of design. The Design Museum, located at Butlers Wharf in south-east London, was conceived and financed by the Conran Foundation, an educational charity established by Sir Terence Conran in 1981 to stimulate awareness of the importance of design in education, industry, commerce and culture. The museum takes as its permanent focus a collection of 400 objects displayed and analysed in their social, technological, commercial, aesthetic and economic contents. The gallery is divided into thematic sections on home, work and transport, with subsections on the development of particular products, such as telephones, radios, bicycles and cameras. There is a study area featuring videos of designers at work, a public database on design and an interactive

computer-aided design programme which simulates the design process. The museum also contains a library with more than 5,000 books. Allied to the permament gallery's operations will be regular seminars, lectures and films, and an extensive education programme for schools and colleges has been set up. The Museum contains an exhibition area called the Boilerhouse – originally situated in London's Victoria and Albert Museum – which will feature temporary displays of designed objects. A separate gallery will exhibit new and speculative products.

Source: The Design Museum.

FORESTRY

The Countryside Commission and the Forestry Commission have announced proposals for creating 12 community forests on the outskirts of major cities and conurbations in England and Wales. Each community forest will cover between 10,000 and 17,000 hectares (40 to 65 sq miles); include farmland, meadows and lakes in a mixed woodland setting; provide opportunities for leisure, recreation and environmental education; help to restore derelict and unkempt parts of the urban fringe or green belt; and provide employment in forestry, conservation and leisure.

The first two forests are planned for south Staffordshire and south Tyne and Wear, where some initial planting will start in winter 1989-90, and one for east London will be the next to be planted. The Commissions and local authorities will promote and fund the community forests, and it is hoped that funding will also come from private and voluntary sources, and from industry and commerce. The availability of such funding will determine the speed of the establishment of further forests.

Farmers are to be encouraged to create and manage their own woodland and to consider diversification (see p 60). Community groups will be invited to take part in designing, establishing and managing the forests. Commenting on the proposals in the House of Commons on 27 July, the Minister of Agriculture, Fisheries and Food, Mr John Gummer, said that they were 'a major innovation which shows that Britain is leading the world in many areas of conservation'.

Sources: Countryside Commission press notice, 25.7.89; *Hansard*, Vol 157, No 152, col 1154.

SCIENCE BUDGET

In its advice to the Secretary of State for Education and Science for the forthcoming public expenditure survey, the Advisory Board for the Research Councils calls for increases in the Science Budget of £94 million in 1990-91, £131 million in 1991-92 and £135 million in 1992-93. The Board argues that these sums are necessary to avoid the loss of high quality scientific programmes, to meet Britain's needs for research manpower and equipment and to grasp new scientific opportunities, especially in global environment research.

The Board notes that the increase in the Science Budget for 1989-90 to £824 million (see p 375, 1988) has already been eroded by inflation and that in 1990-91 and 1991-92 the resources available will fall in real terms by at least 3 per cent. Important elements in science costs, including salaries, equipment and computer-related expenditure, are rising faster than the overall rate of inflation.

Selectivity and concentration of research funding, the report says, have helped Britain to maintain its competitive edge in many fields of science. But there are worrying signs that Britain's share of world scientific output is declining. Moreover, the preliminary results of a recent cross-national comparative study, commissioned by the Board, of expenditure on academic and academically related research, suggest that to bring Britain's expenditure on such research up to the average of its European competitors – on either a *per capita* basis or as a proportion of gross domestic product – would require an increase in spending of between £150 million and £200 million a year. British science is insufficiently funded, the report says, to grasp the opportunities for increased co-operation in research and for the much greater exchanges of manpower and expertise which will flow from the completion of the single European market in 1992 (see p 49).

The report outlines the progress the research councils have made in internal restructuring and in attracting industrial funding, and presents various measures of their achievements and productivity. It also indicates the parts of their programmes which will have to be cut in order to stay within the budget levels projected at present and points to new scientific opportunities which have opened up and problems which demand research. It stresses the importance of environmental and climatic research, including in particular the World Ocean Circulation Experiment and Agricultural and Food Research Council work on stem cell biology and slow viruses. More money needs to be spent on curiosity-driven research, where grants are made in response to unsolicited applications not part of any pre-agreed structure, and on interdisciplinary support, although there has been agreement with the Secretary of State that a committee should review the situation before the establishment of further Interdisciplinary Research Centres (see p 279).

The Board strongly supports the case made by the research councils for a general increase in the level of maintenance awards for postgraduate students, in order to maintain the flow of graduates into research and advanced study.

The report refers to special allocations for equipment of £14 million in 1988-89 and a further £12·3 million in 1989-90, which have enabled some of the most urgent needs for selective re-equipment to be met. However, a survey commissioned by the Board of academic research equipment in British universities and a sample of polytechnics found that 14 per cent of equipment was 'state of the art', 33 per cent very good, 39 per cent adequate and 14 per cent no longer adequate. Set against the available data from surveys elsewhere, these results, says the Board,

suggest that Britain is not as well provided for as some other advanced countries, with worrying implications for its international competitiveness in research and scientific training.

Source: *Science and Public Expenditure 1989: A Report to the Secretary of State for Education and Science from the Advisory Board for the Research Councils.* Available free from Publications Despatch Centre, Department of Education and Science, Honeypot Lane, Stanmore, Middlesex HA7 1AZ.

ENGINEERED ORGANISMS AND THE ENVIRONMENT

In its thirteenth report, published on 7 July, the Royal Commission on Environmental Pollution proposes legislation to control the release of genetically engineered organisms (GEOs) into the environment. The report outlines the history and procedures of genetic engineering, the purposes to which it is directed and the types of organism involved. It points out the environmental and economic damage that has been done in the past by the introduction of naturally occurring organisms into new environments; and, while estimating that in all probability most genetically engineered organisms will turn out to be harmless, argues that the nature of the balance between ecosystems and individual species is so imperfectly understood that there is no class of GEO which should be free from control.

The report describes its recommendations as being generally in line with existing British procedures adopted by the Health and Safety Executive and its Advisory Committee on Genetic Manipulation. Its main proposals are that both the Secretary of State for the Environment and the Health and Safety Commission (acting on behalf of the Secretary of State for Employment) should be involved in decisions on the release of GEOs, with oversight, respectively, of environmental protection and of human health and safety. Each stage of release in the development of a GEO and, in addition, its use in a product should be the subject of a licence.

The Secretary of State for the Environment should be given additional powers, including the power to set up advisory committees, draw up and publish codes of practice, maintain a register of people and organisations approved to carry out release, require the provision of information and make information available to the public. Applications for a release licence, or for a product approval, should be referred to a committee of experts, the Release Committee. This should be formed from the present Intentional Introduction Sub-committee of the Advisory Committee on Genetic Manipulation. Its members should have expert knowledge of genetic engineering techniques, microbiology and ecology.

The report further proposes that there should be a public register of applications for release licences and of licences granted. This should contain the names and addresses of the people or organisations making applications, the particulars of the organisms, the purposes of the releases and the descriptions of the release sites. Relevant sections of the register should be kept in the localities of the releases.

In addition, the report makes recommendations on codes of practice, waste disposal, conservation of existing commercial plant varieties, international co-operation, public right of objection and local safety assessment committees.

Source: *The Release of Genetically Engineered Organisms to the Environment.* Thirteenth Report of the Royal Commission on Environmental Pollution. Cm 720. HMSO, £13·90. ISBN 0 10 107202 3.

Scottish New Towns

The Government has published a White Paper[1] setting out its decisions on the future of the Scottish new towns and outlining a proposed timetable for the winding up of their development corporations.

Ministerial Statement

Speaking in the House of Commons on 11 July (*Hansard*, Vol 156, No 140, cols 815-24), Mr Ian Lang, Minister of State at the Scottish Office, said that the Government was aware of the key role played by the five new towns[2] in achieving economic success for Scotland, and it acknowledged their importance to Scotland's international industrial image. For up to 40 years Scotland's new towns had grown and matured, providing an attractive environment for their residents and an excellent location for industry, both indigenous and from overseas. Following a major review (see p 393, 1988), the Government recognised that the time had come to begin an orderly progress towards the winding up of the new towns' development corporations. Its central purpose was to ensure the towns' continuing economic vitality.

In 1988 the development corporations had been asked to determine their key objectives for the next five years, and the Government had broadly endorsed the resulting development plans. It had decided that the winding up of the development corporations should begin for East Kilbride and Glenrothes in 1991 and be completed by 1994. Cumbernauld would begin the process in 1993, Livingston in 1995, and Irvine in 1996, although the legislative proposals would afford some flexibility in order to take account of each town's individual circumstances.

Mr Lang said that the Government, having considered a range of options, had decided that the most effective way to maintain the economic momentum and meet the needs of enterprise after winding up the development corporations would be to establish a local development company in each town. This would be a private sector company formed to own, manage and develop the residual industrial and commercial assets of the former development corporation, while fulfilling, for a limited number of years, certain public sector functions in its area under contract to Scottish Enterprise (see pp 433-5, 1988).

With regard to housing, the White Paper outlined arrangements designed to meet the Government's dual objectives of increasing home ownership and providing a wide choice of tenure for those who wished to continue to rent. The achievement of the new towns had been outstanding, Mr Lang said, with more than 50 per cent of people owning their own homes in 1989, compared with only 8 per cent in 1979. The Government would encourage tenants' associations to consider setting up locally based housing associations or co-operatives, where they would be able to participate in the management of their homes and their environment. The Government was confident that the proposals in the White Paper would enable Scotland and the new towns to continue to enjoy the benefits of their success.

White Paper

The White Paper says that there was a considerable response from representative groups, individuals, commerce and industry to the consultative document on the future of the Scottish new towns. Surveys of the views of new town tenants on home ownership, housing management and preferred choice of landlord were also carried out. Having considered all the views carefully, the Government intends to bring forward legislation at the earliest opportunity to amend the New Towns (Scotland) Act 1968, to give effect to the proposals in the White Paper.

The development corporations identified the following as priorities which should be achieved by the date of winding up: completion of the towns' infrastructure, particularly roads and sewerage, and provision of a full range of civic, community, health, educational, sports and leisure facilities; preparation of sites and planning for developments which private sector investment could undertake; further development of business parks and high-amenity industrial sites; and rehabilitation of land, older industrial stock and older rented housing stock.

The Government endorses the objectives of the corporations as set out in their 1988 development profiles, and these will form both the broad basis and a substantial part of the detailed framework for decisions on the precise timing of winding up in the case of each town. Wind-up orders, for which legislation will be required, would normally run for three years before formal dissolution of a corporation.

[1] *The Scottish New Towns: The Way Ahead*. Industry Department for Scotland. Cm 711. HMSO, £5. ISBN 0 10 107112 4.

[2] For further information on the new towns, see COI reference pamphlet *Scotland*, No 52/89.

Local Development Companies

The White Paper says that the economic benefits which the new towns have generated for themselves, their surrounding areas and Scotland have been too significant simply to wind up the development corporations without providing for any successor arrangements. The private sector's investment in housing, industry and in commercial facilities has been of crucial importance to the new towns' development and it is essential that it continues to play a major part.

After full consideration of a range of options, the Government has concluded that the most effective organisation to undertake economic development activities in the new towns would be a private sector based local development company with contractual obligations to fulfil certain public sector functions, which would be channelled through the central board of Scottish Enterprise.

Such a company could concentrate on promotion, marketing and support for the attraction of inward investment, property development, and business support and advisory services. It would have the potential to introduce a substantial private sector involvement in the economic development of the new towns, and would facilitate the disposal of a major part of the industrial and commercial assets to the private sector. The form of each local development company and its functions would be determined by the actual economic requirements, strengths and weaknesses of each new town area, and by discussion between the Government, the corporations and local interests. The Government would give full consideration to management buy-out proposals, from, for example, the management team of a development corporation.

The Government does not at this stage intend to proceed to any early large-scale sale of corporation property. The Scottish Development Agency is currently preparing for the disposal of its industrial property and this sale would precede that of the development companies' assets.

Housing

The White Paper says that a primary task for the corporations until they are wound up would be to continue to extend home ownership, via right-to-buy, voluntary sales and private sector housebuilding. A second major task would be to increase choice in the rented sector, for example, by agreed transfers to approved private landlords, housing associations and co-operatives. In all the towns early action would be taken to accelerate house completions, reducing the most pressing housing needs.

The development corporations' role as landlords will cease to exist when they are wound up, and choices will have to be made at that time. The position in each town will be carefully considered once an order for dissolution has been made, and formal consultations will be held with the development corporations, district councils and representative tenant groups to review the position and to determine to what extent transfers might take place, whether to housing associations, co-operatives, district councils, private or other landlords. Those tenants who have not transferred to other landlords will be transferred to Scottish Homes (see p 443, 1988) at winding up.

The Government is committed to ensure that no individual new town tenant will have to change landlord in the period before winding up, and has noted the views expressed in consultation in favour of a right for tenants to transfer to the district council at winding up. The Scottish Office will undertake a programme to inform all new town tenants of the range of available housing options.

Community Life and the Environment

The Government intends to explore the possibility of engaging private sector leisure companies to run the larger leisure complexes under agreements which will safeguard their use, and may include an endowment to provide for their upkeep. Corporations will be asked to undertake a comprehensive environmental audit of the extensive areas of landscaped and mature open space which make the new towns attractive, and to identify the potential for disposal and for future responsibility for upkeep. Local interests, such as community groups, voluntary bodies, charitable organisations and the residents themselves, will be encouraged to acquire areas of land.

Planning

The Government intends that, subject to transitional arrangements, the new towns will become integrated into the normal planning system, with the district and regional councils exercising all their normal planning and control powers throughout the former new town designated areas. The forthcoming legislation will include measures to ensure that local plans for each new town are adopted prior to the date of the dissolution of each development corporation.

Nature and Countryside Conservation

The Government has announced proposals to reorganise the Nature Conservancy Council and the Countryside Commissions into separate bodies for England, Scotland and Wales.

Existing Arrangements

The Nature Conservancy Council was set up under the Nature Conservancy Council Act 1973 as a body for Great Britain, with separate advisory committees for England, Scotland and Wales. Among its main functions are: establishing, maintaining and managing National Nature Reserves; identifying and notifying Sites of Special Scientific Interest; identifying and managing Marine Nature Reserves; advising the Government and others on nature conservation; disseminating information on nature conservation; and commissioning and undertaking research into this area of conservation.

The Countryside Commission for England and Wales was established by the Countryside Act 1968. Its main functions include: designating national

parks, areas of outstanding natural beauty and long-distance routes, and defining heritage coasts; keeping under review the facilities for the enjoyment of the countryside, the conservation and enhancement of its natural beauty, and the need for public access to it; promoting understanding of, and providing advice on, countryside issues to the Government and others; making grants for conservation work and recreation provision; and commissioning and undertaking research on conservation or recreation management. The Countryside Commission for Scotland, which was set up under the Countryside (Scotland) Act 1967, has similar responsibilities.

Government Proposals

In a statement in the House of Commons on 11 July (*Hansard*, Vol 156, No 142, written answers, cols 482-3), the then Secretary of State for the Environment, Mr Nicholas Ridley, said that there were differences between the circumstances and needs of England, Scotland and Wales in respect of the conservation of wild fauna and flora and the countryside, and that the present organisational arrangements did not match these differing requirements. The Nature Conservancy Council was responsible for nature conservation throughout Great Britain, while the Countryside Commission was responsible for conserving and enhancing the natural beauty of the countryside in England and Wales, with a separate Countryside Commission for Scotland.

While Britain had the most comprehensive administrative arrangements for dealing with wildlife and countryside issues of all the European Community member states, Mr Ridley said, it had become clear that these arrangements would be even more effective if they could take more account of differences in local conditions between the different parts of Great Britain. Under the proposals, for which legislation would be brought forward at the earliest opportunity, separate bodies for England, Scotland and Wales would be set up to carry out the functions of the Nature Conservancy Council in Great Britain and the Countryside Commission in England and Wales.

In England the Nature Conservancy Council and the Countryside Commission would continue as separate bodies, in view of the country's greater density of population and consequent pressure upon land. The Secretary of State for the Environment would continue to be responsible for representing Britain's interests on nature conservation matters within the European Community and under international conventions.

Scotland

In a statement in the House of Commons on the same day (*Hansard*, Vol 156, No 141, written answers, col 436), the Secretary of State for Scotland, Mr Malcolm Rifkind, said that a single body with responsibility for the natural heritage in Scotland would be able to take a more integrated approach to conservation and countryside matters in that country. The Government proposed creating such an agency in two stages: legislation would first be brought forward to establish a separate Nature Conservancy Council for Scotland; at a later date a Bill would be introduced to merge the proposed Scottish Nature Conservancy Council with the Countryside Commission for Scotland, to create a single natural heritage body. The new organisation would have full executive responsibility for its work in Scotland and be sponsored by the Scottish Office. A consultation paper on the proposals had been published.[1]

Wales

The Secretary of State for Wales, Mr Peter Walker, said in the House of Commons (*Hansard*, Vol 156, No 141, written answers, cols 433-4) that a separate Welsh body would be of undoubted benefit to Wales and would mean that in future decisions affecting Wales would be taken in Wales. It would be appointed by, and directly responsible to, the Secretary of State for Wales, and would incorporate the responsibilities of the present offices in Wales of the Nature Conservancy Council and the Countryside Commission. It would have full executive authority for its work in Wales, compared with the current advisory role of the two committees for Wales.

Implementation

The changes proposed for England and Wales are expected to take effect in April 1991, and in Scotland the new Nature Conservancy Council is also due to be established in April 1991.

Football Spectators Bill

The Football Spectators Bill, which received its second reading in the House of Commons on 27 June, provides for the setting up of a statutory national membership scheme to control the admission of spectators to designated football matches in England and Wales and for the licensing of football grounds to admit members of the scheme. A Football Membership Authority would be appointed to prepare and subsequently administer the scheme, which the Government hopes will be implemented in the early months of the 1990-91 football season. The Bill also makes provision for the banning of convicted football hooligans from travelling to certain matches held outside England and Wales.

The Government and the football authorities have already taken a range of measures to counter football hooliganism in Britain. The sale of alcoholic drinks is severely restricted at football grounds and it is banned on transport to matches (see p 114, 1987). It is an offence to take cans, bottles, smoke bombs and fireworks into football grounds. Under the Public Order Act 1986 (see pp 33-5, 1986), courts can prohibit convicted hooligans from attending football matches in England and Wales, and a new offence of disorderly conduct covers behaviour causing unnecessary distress to others. Rival groups of supporters are segregated at grounds,

[1] *Scotland's Natural Heritage: A Consultation Paper.* Available free from the Scottish Development Department, Room 6/62, New St Andrew's House, Edinburgh EH1 3SZ.

and the Government has encouraged the use of closed-circuit television inside football grounds and the establishment of partial membership schemes for home spectator accommodation. There is now greater co-operation between the police and football clubs as well as stronger police co-ordination at national and international levels. Consideration is being given to how best to enforce restrictions on the sale of alcoholic drinks in the vicinity of football grounds, and applications from local authorities to restrict or prevent consumption of alcohol in public places are being studied by the Government.

Following the disaster at Hillsborough football stadium, Sheffield, on 15 April 1989, in which 95 spectators died, an independent inquiry was appointed under the chairmanship of Lord Justice Taylor to investigate the causes of the disaster and to recommend measures for improving crowd control and safety at sports grounds. An interim report[1] was issued on 4 August, and the Government has asked the police, football clubs, local authorities and others in England, Wales and Scotland to take action to implement as many of its recommendations as possible before the beginning of the 1989-90 football season (see pp 332-3). There will be an opportunity for the House of Commons to debate and vote on the national membership scheme after receipt of Lord Justice Taylor's final report, which is expected to be published around the end of 1989, and to take account of any relevant findings.

The Football Spectators Bill, which has already completed its passage through the Lords, was given a second reading in the House of Commons on 27 June by 330 votes to 252 (*Hansard*, Vol 155, No 130, cols 842-926). It is based on proposals outlined in *Football: National Membership Scheme. Report of the Minister for Sport's Working Party* published in November 1988 (see pp 443-4, 1988).

MAIN PROVISIONS OF THE BILL

National Membership Scheme

The Bill provides for the Secretary of State for the Environment to appoint a Football Membership Authority to draw up a national membership scheme and for the scheme to be approved by the Secretary of State. The Government has asked the football authorities to set up and administer the Authority. Only members of the national membership scheme (or others authorised by the scheme) would be admitted to those matches in England and Wales designated by the Secretary of State, and spectators would be admitted to such matches only at grounds licensed by the Secretary of State (or a government-appointed authority). An essential requirement for obtaining a licence would be participation in the national membership scheme. Designated matches would include all league matches and any others that the Secretary of State chose to designate. Spectators would be required to produce a valid membership card for checking at the point of entry to the ground. Disabled people and accompanied children would be exempted from the scheme and there would be provision for temporary membership arrangements.

[1] *The Hillsborough Stadium Disaster. 15 April 1989. Inquiry by the Rt Hon Lord Justice Taylor. Interim Report.* Home Office. Cm 765. HMSO, £10·30. ISBN 0 10 107652 5.

Anyone not a member of, or otherwise authorised by, the scheme who attended, or attempted to attend, a designated match would be committing a criminal offence. It would also be an offence to admit spectators to a designated match at an unlicensed ground. People convicted of a football-related offence would be disqualified from membership of the scheme for a period of five years, where they had received a custodial sentence, or for two years in other cases; there is provision for even longer periods of disqualification to be imposed. The Football Membership Authority would have powers to revoke or suspend licences where clubs were judged to have failed to comply with the conditions of the licence.

Restrictions on Travel outside England and Wales by Football Hooligans

Under Part II of the Bill, restrictions would be imposed on football hooligans convicted in Britain or overseas to stop them travelling to any country outside England and Wales where designated matches involving English or Welsh clubs were being played, so as to help prevent violence or disorder. There is provision for courts to impose restriction orders lasting five years in the case of someone who has received a custodial sentence for a football-related offence and two years for those incurring a non-custodial sentence. Offenders would be required to report to a designated reporting agency when key matches were being played outside England and Wales.

MINISTER'S STATEMENT

Introducing the Bill in the House of Commons, the then Secretary of State for the Environment, Mr Nicholas Ridley, said that since the mid-1960s football hooliganism had deterred millions of genuine supporters from attending matches; attendances had fallen from 35 million in 1967-68 to 21 million in 1987-88. Football hooliganism had made life unpleasant for those living or trading near football grounds, and the behaviour of English football supporters abroad had brought shame on Britain. There was continuing violence both at and away from domestic football grounds, and about 5,000 police were needed to control football crowds every weekend of the football season, largely at public expense. Also, English football supporters had been involved in violent incidents during the European championships in the Federal Republic of Germany in June 1988.

Because existing measures to combat football hooliganism had failed to resolve the problem, it was necessary to put in place the framework for a statutory football spectators' membership scheme, taking account of all the findings of Lord Justice Taylor's committee of inquiry, in order to bring football hooliganism fully under control. The football authorities had been asked by the Government to introduce a voluntary national membership scheme in 1988, but had refused to do so. As the Government had delayed the Bill for two months after the Hillsborough tragedy, it was essential to make rapid progress with the introduction of the scheme in the interests of genuine football supporters and of those whose lives were being spoiled by the

behaviour of football hooligans. Subject to the availability of appropriate technology and providing it could be operated effectively and safely, the Government hoped to see its scheme implemented in the early months of the 1990-91 football season beginning in August 1990; the Government and the Football Membership Authority would be required to consider phasing the introduction of the scheme.

The Government proposed to amend the Bill to give the Football Membership Authority a monitoring and enforcement role with regard to questions of safety at designated matches in England and Wales, to back up existing powers under the safety of sports grounds legislation.

OPPOSITION VIEWS

Speaking on behalf of the official Opposition, Dr John Cunningham said that the Bill had grave implications for civil liberties. The Government was determined to impose the membership scheme against the advice of the football administrators and the Police Federation and in anticipation of the publication of Lord Justice Taylor's final report, which could have a direct bearing on the advisability of introducing a compulsory membership scheme. The scheme would not alleviate problems of hooliganism and violence as the majority of incidents and subsequent arrests took place outside football grounds or on public transport. Although violence and disorder still occurred within grounds, this had been contained and trouble-makers were quickly dealt with by improved policing, aided by closed-circuit television. The technology required to operate the membership scheme at grounds was liable to break down and could lead to serious crowd control problems.

Requiring all football supporters to carry identity cards would not improve standards of behaviour. There was an urgent need for greatly increased investment in better facilities at football stadiums, but the Government's proposals were likely to reduce attendances and hence income, redirecting clubs' resources to the operation of the membership scheme and bringing many clubs in the lower reaches of the football league into grave financial difficulties.

The Government's proposals to restrict convicted hooligans from travelling to football matches outside England and Wales would not be effective because the police in other European countries often did not charge detained trouble-makers but merely sent them home.

GOVERNMENT REPLY

Replying for the Government, the Minister for Sport, Mr Colin Moynihan, said that for the first time many of the incidents of violence and disorder at football grounds, which still occurred on a regular basis, as well as incidents taking place away from grounds could result in the Football Membership Authority using its discretionary powers to exclude those committing offences from the scheme and hence from attending matches. The Authority would also be empowered to tackle incitement to violence and racial abuse at grounds and other incidents that brought football into disrepute. The cost of operating the scheme would be relatively small – £3·30 a year over three years for each member – and possibly nothing at all if commercial opportunities were developed.

Hillsborough Football Stadium Disaster

The interim report of an independent committee of inquiry into the Hillsborough Football Stadium disaster,[1] published on 4 August, points to major deficiencies in the layout and organisation of the stadium and in procedures to ensure crowd safety. The Government has welcomed the report and is urging the police, football clubs, local authorities and others in Great Britain to take action on as many of the recommendations as possible before the start of the new football season later in August.

At a football match between the Liverpool and Nottingham Forest clubs held at Hillsborough Football Stadium in Sheffield on 15 April, crushing occurred on the terraces resulting in the deaths of 95 spectators, while over 400 others received hospital treatment. Subsequently, Lord Justice Taylor was appointed to carry out an inquiry into the causes of the tragedy and to make recommendations on the needs of crowd control and safety at sports events.

The report reveals that the immediate cause of the gross overcrowding which led to the disaster was the failure to cut off access to the central pens of a viewing terrace. These already contained too many spectators because no safe maximum capacities had been laid down, no attempt had been made to control entry to individual pens numerically, and there had not been effective visual monitoring of crowd density. The crush barriers in these pens did not provide adequate protection and one collapsed. Stewards and police reacted slowly when the crush occurred and the small number and size of the gates leading onto the pitch hindered rescue efforts.

Main Recommendations

The interim recommendations are designed to prevent overcrowding and crushing on terraces and to improve safety procedures. They complement those made by the Popplewell Inquiry after the fire at Bradford City Football Ground in 1985 (see pp 75-6, 1986). The main aims are to reduce numbers on the terraces, increase vigilance and achieve a proper balance in crowd control between prevention of disorder and maintenance of safety. Wider issues, such as membership schemes (see pp 331), all-seater stadiums, and problems of excessive pre-match consumption of alcohol and fans arriving without tickets, will be considered in the committee's final report, publication of which is expected around the end of 1989. The following interim recommendations should, the report says, be carried out before

[1] *The Hillsborough Stadium Disaster. 15 April 1989. Inquiry by the Rt Hon Lord Justice Taylor. Interim Report.* Home Office. Cm 765. HMSO, £10·30. ISBN 0 10 107652 5.

the 1989-90 season begins.

The report recommends that where a viewing terrace is divided into self-contained pens or areas, a maximum number of spectators should be specified for admittance to each pen or area, and access should be closed off when the maximum is about to be reached (strict counting of spectators would be called for). After careful consideration of figures for maximum capacities, a deduction of 15 per cent should be made to improve safety margins. There should be written agreements between clubs and the police setting out their respective responsibilities for crowd safety and control, especially for the filling of each pen or other terraced area and the monitoring of spectators to avoid overcrowding. At every match a steward or police officer should be on patrol on the perimeter track immediately in front of the terracing to check for overcrowding and other distress in a particular pen or area.

All gates in radial or perimeter fences should be painted a different colour from the rest of the fence and marked 'Emergency Exit'; perimeter fence gates leading onto the pitch should be kept fully open when spectators are on the terraces. There should be immediate inspection of crush barriers to detect signs of corrosion and, where necessary, barriers should be repaired or replaced. Turnstiles should be closed when the permitted capacity of the area served by them is about to be reached and arrangements made to ensure quick and effective communication with turnstile operators.

The report recommends that the chief constables of police forces in whose areas there are designated stadiums should nominate a chief officer to liaise with the management of football clubs and local authorities on matters of safety and crowd control. The police, fire and ambulance services should maintain regular contact with each other over questions of crowd safety. An option to postpone start of play should be used at the discretion of the police officer in command at the ground, and crowd safety should be the paramount consideration in deciding whether to exercise this option. There should be a sufficient number of operators in police control rooms to enable all radio transmissions to be received, evaluated and answered properly; a completely separate system of land lines with telephone links between control rooms and key points at grounds should be installed to complement radio communications.

There should be a medical practitioner at every match and at least one person trained in first aid for every 1,000 spectators. One or more fully equipped ambulances should be in attendance at any match with an expected crowd of 5,000 spectators or more.

Government Response

Welcoming the report, the Home Secretary, Mr Douglas Hurd, said that it dealt with a number of matters requiring immediate action pending the longer-term findings of the inquiry to be published in the final report. The Government would issue a circular to the police, football clubs, local authorities and others concerned with the organisation of football matches in England, Wales and Scotland urging them to implement as many of the recommendations as possible before the beginning of the new football season. Although the interim report had not identified any major shortcomings in the law on safety in sports grounds, the Government would re-examine relevant legislation in the light of the committee of inquiry's findings and recommendations.

Shorter Notes

INFORMATION TECHNOLOGY IN SCHOOLS

Evidence of the growing use of microcomputers in schools is to be found in a recent government study. The Department of Education and Science has published the results of a survey of the level of provision and use of information technology (IT) in maintained schools in England and of its contribution throughout the curriculum. The survey was carried out in February 1988, following a similar one in November 1985 (see pp 76-7, 1987). In April 1988 the Government launched a major initiative in schools to extend and integrate the use of IT across the curriculum. In the first three years of the programme government grants are being made available to increase the number of microcomputers and to support the appointment of IT advisory teachers and in-service training of teachers in the effective use of IT.

The survey found that in primary schools there were on average 2·5 microcomputers for each school in 1988, compared with 1·7 in 1985; a corresponding reduction occurred in the average number of pupils for each microcomputer from 107 to 67, the reduction being greatest in inner city areas where the ratio was 143 in 1985 compared with 67 in 1988. By 1988 nearly all the microcomputers had a disc drive and over half had a printer. Spending on IT increased from £305 a school in 1985 to £496 in 1988 with nearly 60 per cent being met from public funds in 1988.

The 1988 survey found that nearly all primary schools continued to use IT in the teaching of language and communication and of mathematics, and that there was greater use of IT in art and design and in science teaching. Between 1985 and 1988 the percentage of pupils with 'hands on' experience of microcomputers grew from 70 to 95 per cent. The proportion of staff undertaking initial awareness training almost doubled, from 27 to 51 cent.

In secondary schools the average number of microcomputers increased from 13·4 a school in 1985 to 23·2 in 1988, with a decrease in the average number of pupils for each microcomputer from 60 to 32. Spending by secondary schools on IT rose from an average of £2,240 a school in 1985 to £4,872 in 1988; 80 per cent of the funding for IT came from local and central government.

In 1988, 67 per cent of secondary schools offered examinable courses in computer studies or closely related subjects. Almost two-thirds of business studies departments reported that IT had made a substantial contribution to teaching and learning, while about half of craft, design and technology, mathematics and physics departments said that IT

had made some contribution. Just under three-quarters of secondary pupils had had 'hands on' experience. By 1988 secondary schools were making much more use of microcomputers for administrative purposes than primary schools; nearly half of the former used them for compiling timetables and over half for pupil records and assessment.

Source: *Department of Education and Science Statistical Bulletin*, No 10/89, July 1989. Available free from DES Statistics Branch, Elizabeth House, York Road, London SE1 7PH.

LITTER

The Government has published details of proposals for legislation designed to improve the appearance and standards of cleanliness of public places in England and Wales.[1] The then Secretary of State for the Environment, Mr Nicholas Ridley, said in the House of Commons on 20 July that the Government was 'determined to tackle vigorously the problems caused by litter and litterers'. Its proposals would enable and encourage local authorities, other landowners and individual citizens to take more effective action against litter and those who drop it.

The proposals include:

– an increase in the maximum fine for dropping litter, under the Litter Act 1983, from £400 to £1,000;

– the power for local authorities to introduce a fixed penalty scheme for dropping litter, along the lines of a scheme already operating in the City of Westminster, London;

– a duty on local authorities to keep clean all land in their control to which the public have access (to include the removal of both litter and dog faeces);

– the power for local authorities to extend by designation order a similar duty on owners of certain defined categories of land (for example, car parks, shopping precincts, and forecourts of commercial premises);

– the rationalisation of street cleaning responsibilities (at present shared between highway authorities and district councils in England and Wales, outside London and the metropolitan districts). District councils (outside the metropolitan areas) would have sole responsibility for cleaning all roads except motorways;

– the introduction of a statutory code of practice on cleaning, specifying standards of cleanliness which all those under the duty would be required to meet, and advice on the best means of achieving them;

– the introduction of a system of enforcement which would enable individual citizens to apply for a 'litter abatement order', directing a local authority, or other landowner, to clear land, where it appeared to be in breach of its duty. The local authority would also have powers to issue a 'litter abatement notice' where other landowners were in breach of their duty to keep land clean; where a landowner did not comply with an abatement notice, the local authority would have default powers to carry out the cleaning work itself and recover costs; and

– the extension of Section 1 of the Litter Act 1983 (which makes it an offence to drop litter in public places) to all areas covered by the duty to keep clean, and the widening of its scope.

Broadly similar proposals to deal with the problem of litter in Scotland were published in a consultation document by the Scottish Development Department on 27 July.[1]

Sources: *Hansard*, Vol 157, No 149, written answers, cols 347-8; Department of the Environment press notice, 20.7.89; Scottish Office press notice, 27.7.89.

[1] *Action on Litter: The Government's Proposals for Legislation*. A consultation paper. Available free from the Department of the Environment, 2 Marsham Street, London SW1P 3EB.

[1] *Action on Litter*. A consultation paper. Available free from the Scottish Development Department, Environmental Protection Division, 27 Perth Street, Edinburgh EH3 5DW.

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Committal Proceedings: A Consultation Paper. Jointly published by the Home Office and the Lord Chancellor's Department, the paper deals with possible changes in the system of committal proceedings, under which decisions are made on whether a defendant should be committed for trial. Available free from the Home Office, 50 Queen Anne's Gate, London SW1H 9AT.

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Welsh Development Agency: Report and Accounts 1988-89. Gives details of the Agency's success in attracting inward investment to Wales (see p 242), providing business premises and reclaiming derelict land. Available free from the Welsh Development Agency, Pearl House, Greyfriars Road, Cardiff CF1 3XX.

Opening Markets: New Policy on Restrictive Trade Practices. Cm 727. Department of Trade and Industry. HMSO, £6·20. ISBN 0 10 107272 4.

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Materials in UK Industry. Prepared by PA Consulting Group for the Department of Trade and Industry. This survey of more than 600 manufacturing

companies shows that Britain has strengths in materials technology but that industry is slow to adopt new materials and processes. Lack of technical awareness by industrial designers and of commercial potential by senior managers contribute to the problem. Available from Mediascene, The Director Marketing Centre, Bowen Industrial Estate, Bargoed CF8 9EP. £30.

The Association of Consulting Engineers. Overseas Work Entrusted to Members during 1988. Available from the Association of Consulting Engineers, Alliance House, 12 Caxton Street, London SW1H 0QL. £40.

English Tourist Board: Annual Report 1989. Reviews the work of the Board for the year ended 31 March, recording increasing numbers of Britons taking long holidays in Britain. Discusses future strategies for the development of English tourism following the recent review of government policy (see p 325). Available from the English Tourist Board, Thames Tower, Black's Road, London W6 9EL. £5.

Tourism in Northern Ireland: A View to the Future (see p 325). Department of Economic Development for Northern Ireland. Available free from the Tourism Branch, Department of Economic Development for Northern Ireland, Netherleigh, Massey Avenue, Belfast BT4 2JP.

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Education: Facts and Figures. Government Statistical Service. A pocket guide providing data on schools, teachers and pupils in England. Available free from the Department of Education and Science, Publications Despatch Centre, Honeypot Lane, Stanmore, Middlesex HA7 1AZ.

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Smoking Among Secondary School Children in England in 1988. The fourth national survey of smoking among young people, carried out by the Office of Population Censuses and Surveys, shows that the fall in smoking among boys, noted in the previous survey (see p 78), has been sustained, and confirms that smoking among girls has fallen, although girls are still more likely to smoke than boys. HMSO, £9. ISBN 0 11 691267 7.

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